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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 5, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 5, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisors Farrell and Mar were not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Farrell was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of February 23, 2016, and March 1 ,2016. The motion carried by the following vote, following general public comment:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Rules Committee

160268 **[Appointment, Children and Families First Commission - Sylvia Deporto]**
Motion appointing Sylvia Deporto (residency requirement waived), term ending April 28, 2018, to the Children and Families First Commission. (Rules Committee)

Motion No. M16-036

APPROVED

160269 **[Appointment, Eastern Neighborhoods Citizens Advisory Committee - Chirag Bhakta]**
Motion appointing Chirag Bhakta, term ending October 19, 2017, to the Eastern Neighborhoods Citizens Advisory Committee. (Rules Committee)

Motion No. M16-037

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 160195, 160196, and 160197 be called together.

160195 **[Appropriation - Proceeds from Road Repaving and Street Safety General Obligation Bonds of $44,145,000 and Bond Interests of $2,317,851 - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating $46,462,851 consisting of $44,145,000 of the 2016E Series Road Repaving and Street Safety (RRSS) 2011 General Obligation Bond Proceeds and $2,317,851 of accumulated bond interest earnings to the Department of Public Works and Municipal Transportation Agency for street resurfacing, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority in FY2015-2016 and placing these funds on Controller's Reserve pending the sale of the bonds and review of arbitrage costs.
(Fiscal Impact)

Ordinance No. 047-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

160196 **[Appropriation - Proceeds from General Obligation Bonds and Bond Proceed Interest Earnings - $29,673,553 - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating $29,673,553 consisting of $25,215,000 of the 2016 Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds, and $4,458,553 accumulated bond interest to Public Works in FY2015-2016 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds and review of arbitrage costs.
(Fiscal Impact)

Ordinance No. 048-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

160197 **[Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds - $111,060,000 - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating $111,060,000 of the 2016 Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to the Department of Public Works in FY2015-2016 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

Ordinance No. 049-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Referred Without Recommendations from the Budget and Finance Committee

151178 **[Appropriation - General Fund Reserve - Facilities Improvements in the Recreation and Park Department - $2,500,000 - FY2015-2016]**
Sponsor: Avalos
Ordinance appropriating $2,500,000 from the General Fund Reserve to the Recreation and Park Department for facilities improvements in the Geneva Car Barn in FY2015-2016.
(Fiscal Impact)

Ordinance No. 042-16

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Campos, Cohen, Kim, Peskin, Wiener, Yee
Noes: 3 - Breed, Farrell, Tang
Absent: 1 - Mar

President Breed requested File Nos. 160116 and 160117 be called together.

160116 **[Administrative Code - Establishing a San Francisco Super Bowl 50 Impact Fund]**
Sponsors: Peskin; Kim
Ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events.
(Fiscal Impact)

FINALLY PASSED by the following vote:
Ayes: 8 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Yee
Noes: 2 - Tang, Wiener
Absent: 1 - Mar

Supervisor Farrell, seconded by Supervisor Cohen, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Ordinance No. 045-16

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Cohen, Kim, Peskin, Yee
Noes: 3 - Farrell, Tang, Wiener
Absent: 1 - Mar

160117 **[Appropriation - Funding for the Super Bowl 50 Impact Fund - $100,000 - FY2015-2016]**
Sponsors: Peskin; Kim
Ordinance appropriating $100,000 from the General Reserve to fund the Super Bowl 50 Impact Fund in FY2015-2016.
(Fiscal Impact)

FINALLY PASSED by the following vote:
Ayes: 8 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Yee
Noes: 2 - Tang, Wiener
Absent: 1 - Mar

Supervisor Farrell, seconded by Supervisor Cohen, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Ordinance No. 046-16

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Cohen, Kim, Peskin, Yee
Noes: 3 - Farrell, Tang, Wiener
Absent: 1 - Mar

Referred Without Recommendation from the Budget and Finance Sub-Committee

160091 **[Industrial Lease Agreement - Tanforan Industrial Park, LLC - Bus Operator Training Courses - $2,480,304 Initial Annual Base Rent]**

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA) to execute an Industrial Lease Agreement with Tanforan Industrial Park, LLC, for approximately 7.3 acres of space located at 30 Tanforan Avenue, South San Francisco, to be used for SFMTA bus operator training courses for a nine year and five month term estimated to be from October 1, 2016, through February 28, 2026, with an initial annual base rent of $2,480,304 and annual 2% rent increases; the Lease includes a purchase option, right of first refusal, and an extension option. (Municipal Transportation Agency)
(Fiscal Impact)

Supervisor Cohen, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 26, 2016. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Recommendations of the Government Audit and Oversight Committee

160023 **[Administrative Code - San Francisco Homicide Reward Fund]**
Sponsors: Breed; Cohen, Yee, Peskin and Campos

Ordinance amending the Administrative Code to establish the San Francisco Homicide Reward Fund.

Ordinance No. 043-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

160103 **[Public Works Code - Clarifying Graffiti Prohibition and Establishing Administrative Penalties]**
Sponsors: Peskin; Breed

Ordinance amending the Public Works Code to clarify that prohibited graffiti extends to all public property, including all City assets; establish expedited notice and hearing procedures, create administrative penalties for an offending party, and renumber code sections; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 044-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

NEW BUSINESS

Supervisor Mar was noted present at 2:13 p.m.

Recommendations of the Budget and Finance Sub-Committee

150732 **[Building, Administrative Codes - Mandatory Disability Access Improvements; Building Owner's Notice to Tenant; Administrative Fee]**
Sponsors: Tang; Mar

Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Administrative Code, Chapter 38, to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160065 **[Police Code - Paid Parental Leave for Bonding with New Child]**
Sponsors: Wiener; Yee

Ordinance amending the Police Code to require employers to provide supplemental compensation to employees who are receiving State Paid Family Leave for purposes of bonding with a new child.
(Economic Impact)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 14, Line 9, through Page 15, by requiring a person aggrieved by a violation to first serve written notice to the Office of Labor Standards Enforcement (OLSE), allowing OLSE 90 days to respond to the aggrieved person's notice, and, if OLSE fails to respond, the aggrieved person may bring civil action. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

(Economic Impact)

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Line 3, by striking '90' and adding '180'; and on Page 5, Line 3, by striking '20' and adding '35', and adding a third tier definition of a 'Covered Employer' to include, as of January 1, 2018, those who regularly employ 20 or more employees. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Noes: 1 - Campos

(Economic Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160221 **[Appropriation - Community Impact Improvement Fees - Eastern Neighborhoods Infrastructure Improvement Projects - $739,671 - FY2015-2016]**

Sponsor: Mayor

Ordinance appropriating $739,671 of Community Improvement Impact Fees revenue to the Recreation and Park Department to support the Eastern Neighborhoods Infrastructure Improvement Projects in FY2015-2016.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160147 **[Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - $47,586,924]**

Resolution retroactively authorizing the San Francisco Department of Public Health, Behavioral Health Services to enter into an amended multi-year contract for substance use disorder services with the State Department of Health Care Services, in the amount of $47,586,924 for the term of July 1, 2014, through June 30, 2017; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)
(Fiscal Impact)

Resolution No. 115-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160189 **[Authorize the Director of Public Works to Execute Agreements - Third Street Bridge Rehabilitation Project - $18,369,975]**

Resolution authorizing the Director of Public Works to execute agreements with the California Department of Transportation pertaining to the Third Street Bridge Rehabilitation Project for the amount of $18,369,975. (Public Works)
(Fiscal Impact)

Resolution No. 116-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

151164 **[Planning Code - Landmark Designation - 171 San Marcos Avenue (aka Cowell House)]**
Sponsors: Yee; Peskin
Ordinance designating 171 San Marcos Avenue (aka Cowell House), Assessor's Block No. 2882, Lot No. 035, as a Landmark under Planning Code, Article 10; and making environmental findings, public necessity, convenience and welfare findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160100 **[Administrative Code - No-Fault Eviction Protections During School Year]**
Sponsors: Campos; Kim, Avalos, Mar, Cohen and Breed
Ordinance amending the Administrative Code to prevent certain no-fault evictions (owner move-in, condominium conversion, removal of rental unit, capital improvement, and substantial rehabilitation) during the school year if a child under 18 or a person who works at a school in San Francisco resides in the rental unit, is a tenant or has a custodial or family relationship with a tenant, and the tenant has resided in the unit for 12 months or more, provided, however, that this ordinance would not restrict the timing of evictions performed in connection with mandatory seismic retrofits pursuant to Building Code, Chapter 34B, and Administrative Code, Chapter 65A; and to remove existing exceptions for owners that apply to owner move-in evictions during the school year.

Supervisor Breed requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Public Safety and Neighborhood Services Committee

160024 **[Police, Administrative Codes - All-Gender Toilet Facilities]**
Sponsors: Campos; Farrell, Kim, Avalos, Mar, Yee, Wiener and Breed
Ordinance amending the Police Code to mandate that businesses and places of public accommodation designate single-user toilet facilities that are available to the public or employees as all-gender and accessible to persons of any gender identity, and require enforcement of the signage requirements by the Department of Building Inspection; amending the Administrative Code to require buildings on land that the City owns or leases to provide all-gender toilet facilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisors Wiener and Breed requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Peskin was noted absent at 3:31 p.m.

160223 **[Declaring Existence of a Shelter Crisis]**
Sponsors: Campos; Kim, Avalos, Mar, Yee, Breed, Peskin and Cohen
Ordinance making findings and declaring the existence of a shelter crisis in San Francisco under California Government Code, Sections 8698, et seq.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Avalos, Breed, Campos, Cohen, Kim, Mar, Yee
Noes: 3 - Farrell, Tang, Wiener
Absent: 1 - Peskin

Supervisor Campos, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee
Noes: 3 - Farrell, Tang, Wiener

Recommendations of the Rules Committee

160208 **[Reappointment, Municipal Transportation Agency Board of Directors - Cristina Rubke]**
Sponsor: Mayor
Motion confirming the Mayor's reappointment of Cristina Rubke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2020.
(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 2, 2016.)

Motion No. M16-038

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Peskin

160214 **[Reappointment, Municipal Transportation Agency Board of Directors - Malcom Heinicke]**
Sponsor: Mayor
Motion confirming the Mayor's reappointment of Malcom Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2020.
(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 4, 2016.)

Motion No. M16-039

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Peskin

Supervisor Peskin was noted present at 3:36 p.m.

160266 **[Appointments, Mental Health Board - Angela Pon, Ulash Thakore-Dunlap, and Idell Wilson]**
Motion appointing Angela Pon and reappointing Ulash Thakore-Dunlap and Idell Wilson, terms ending January 31, 2019, to the Mental Health Board. (Rules Committee)

Motion No. M16-040

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160267 **[Appointments, Graffiti Advisory Board - Amy Landgraf and Gregory Dillon]**
Motion appointing Amy Landgraf (residency requirement waived), term ending April 10, 2017, and Gregory Dillon, term ending March 11, 2018, to the Graffiti Advisory Board. (Rules Committee)

Motion No. M16-041

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were no commendations.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

160236 **[Hearing - Street Vacation Order - James Alley - Chinese Hospital Improvements]**
Hearing of persons interested in or objecting to a proposed Ordinance (File No. 160153) ordering the street vacation of James Alley, generally bounded by Assessor's Block No. 0192 and Jackson Street, as part of improvements to the Chinese Hospital; approving a quitclaim of the City's interest in the vacation area pursuant to the terms and conditions of a Purchase and Sale Agreement between the City and County of San Francisco, as seller, and Chinese Hospital Association, as buyer; reserving various easement rights in favor of third party utilities and private property owners; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

The President opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 160153. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Transportation Committee

160153 **[Street Vacation - James Alley - Chinese Hospital Improvements]**
Sponsor: Peskin

Ordinance ordering the street vacation of James Alley, generally bounded by Assessor's Block No. 0192 and Jackson Street, as part of improvements to the Chinese Hospital; approving a quitclaim of the City's interest in the vacation area pursuant to the terms and conditions of a Purchase and Sale Agreement between the City and County of San Francisco, as seller, and Chinese Hospital Association, as buyer; reserving various easement rights in favor of third party utilities and private property owners; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Andrew Yip; shared various concerns.
Walter Paulson; shared in song various concerns.
Male Speaker; shared various concerns relating to the Police Department and Police Officers Association.
Sylvia Johnson; shared various concerns.
Jessica Evans; shared various concerns relating to tree removal by Recreation and Parks Department.
Tom Gilberty; shared various concerns relating to gun violence and Mayor Lee.

Supervisor Wiener was noted absent at 4:10 p.m. and again present at 4:26 p.m.
Supervisor Campos was noted absent at 4:19 p.m. and again present at 4:30 p.m.
Supervisor Farrell was noted absent at 4:21 p.m. and again present at 4:32 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Following requests by several Supervisors, President Breed requested each item be called and considered separately.

Supervisor Mar requested that File No. 160229 be severed so that it may be considered separately.

160229 **[Urging the California Department of Alcohol Beverage Control to Deny Formula Retail Food and Drink Establishments That Do Not Traditionally Sell Alcohol]**
Sponsors: Mar; Kim
Resolution urging the California Department of Alcoholic Beverage Control to deny alcohol license applications of non-traditional alcohol retail businesses in the City and County of San Francisco.

Supervisor Mar, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 12, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Mar requested that File No. 160288 be severed so that it may be considered separately.

160288 **[Supporting the California Faculty Association]**
Sponsors: Mar; Avalos, Kim, Campos, Peskin and Yee
Resolution supporting the California Faculty Association and urging the California State University (CSU) administration give the CSU faculty the respect they deserve and agree to the reasonable salary increases they demand.

Resolution No. 117-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Peskin requested that File No. 160289 be severed so that it may be considered separately.

160289 **[Urging the San Francisco Municipal Transportation Agency to Enforce Labor Harmony Provisions with Respect to Bauer's Intelligent Transportation, Inc., and its Labor Harmony Violations]**
Sponsors: Peskin; Kim, Avalos, Breed, Campos, Cohen, Mar, Wiener, Tang and Yee
Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) Board and SFMTA Director to deny the Commuter Shuttle Program permit application submitted by Bauer's Intelligent Transportation, Inc., until such time as Bauer's demonstrates full compliance with Labor Harmony, under the provisions of Board of Supervisors Resolution No. 96-15 and Transportation Code, Section 914.

Supervisor Preskin, seconded by Supervisor Mar, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener requested that File No. 160290 be severed so that it may be considered separately.

160290 **[Supporting California State Assembly Bill 1887 (Low) - Banning State-Supported Travel to States that Discriminate]**
Sponsors: Wiener; Campos, Yee and Breed
Resolution supporting California State Assembly Bill 1887, authored by Assembly Member Evan Low, which prohibits a state agency from requiring its employees, officers, or members from traveling to states that sanction or require discrimination on the basis of sexual orientation, gender identity, or gender expression and prohibits state-funded or state sponsored travel to those same states.

Supervisor Breed requested to be added as a co-sponsor.

Resolution No. 118-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160300 **[Final Map 8755 - 1 Franklin Street]**
Motion approving Final Map 8755, a 35 residential unit and three commercial unit, mixed-use Condominium Project, located at 1 Franklin Street, being a subdivision of Assessor's Parcel Block No. 0837, Lot No. 003, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-042

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Charter Amendment

140678 **[Charter Amendment - Transportation Infrastructure Capital Appropriations and Transit Equity Strategy]**
Sponsors: Wiener; Mar
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to require annual appropriations to Public Works and the Municipal Transportation Agency (MTA) to maintain, replace, and improve the City's transportation infrastructure in an amount commencing with $75,000,000 for FY2018-2019 and to require the MTA Board of Directors to adopt and biennially update a Transit Equity Strategy; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.

06/10/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2014.

09/04/14; REFERRED TO DEPARTMENT.

09/24/14; RESPONSE RECEIVED.

09/03/15; REMAIN ACTIVE.

09/29/15; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Rules Committee.

10/02/15; REFERRED TO DEPARTMENT.

11/23/15; RESPONSE RECEIVED.

04/05/16; SUBSTITUTED AND ASSIGNED to Rules Committee.

Ordinances

150729 **[Administrative Code - Neighborhood Noticing Ordinance]**
Sponsor: Farrell
Ordinance amending the Administrative Code to direct the San Francisco 311 Customer Service Center to develop a pilot program for expanding public notice of significant projects and permitting decisions in the City, in the areas of construction and infrastructure repair work, public health and safety services and facilities, environment, and transportation.
(Fiscal Impact; No Budget and Legislative Analyst's Report.)

07/07/15; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 8/6/2015.

07/15/15; REFERRED TO DEPARTMENT.

07/23/15; REFERRED TO DEPARTMENT.

03/14/16; FILED PURSUANT TO RULE 3.41.

04/05/16; REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.

151258 **[Planning Code - Affordable Housing Requirement and Fee in Divisadero and Fillmore Neighborhood Commercial Transit Districts]**
Sponsor: Breed
Ordinance amending the Planning Code to require additional affordable housing or payment of a fee for certain sites that obtained higher residential development potential as a result of the rezoning of the Divisadero Street Neighborhood Commercial Transit District and the Fillmore Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

12/08/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

12/16/15; REFERRED TO DEPARTMENT.

01/25/16; RESPONSE RECEIVED.

02/04/16; REMAIN ACTIVE.

04/05/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160154 **[Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]**
Sponsors: Wiener; Breed
Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/23/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/24/2016.

02/26/16; REFERRED TO DEPARTMENT.

03/04/16; RESPONSE RECEIVED.

03/22/16; RESPONSE RECEIVED.

04/04/16; RESPONSE RECEIVED.

04/05/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160293 **[Planning Code - Landmark Designation - 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center)]**
Sponsor: Avalos
Ordinance designating 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center), Assessor's Parcel Block No. 6956, Lot Nos. 016 and 017, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

03/24/16; RECEIVED FROM DEPARTMENT.

04/05/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/5/2016.

160318 **[Appropriation - Proceeds from Certificates of Participation for Animal Care and Control Renovation - $60,500,000 - FY2015-2016]**
Sponsors: Mayor; Tang and Campos
Ordinance appropriating $60,500,000 of Certificates of Participation to the Department of Administrative Services in FY2015-2016 for the Animal Care and Control Renovation Project. (Fiscal Impact.)

04/05/16; ASSIGNED to Budget and Finance Sub-Committee.

160319 **[Administrative Code - Human Services Fire Victims Assistance Fund]**
Sponsors: Breed; Campos
Ordinance amending the Administrative Code to establish the Human Services Fire Victims Assistance Fund.

04/05/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/5/2016.

160320 **[Landmark Tree Designation - Norfolk Island/Cook Pine Hybrid Located at 46A Cook Street]**
Sponsor: Farrell
Ordinance designating the Norfolk Island/Cook Pine hybrid (Araucaria heterophylla x A. columnaris) tree at 46A Cook Street (Assessor's Parcel Block No. 1067, Lot No. 032) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
04/05/16; ASSIGNED to Land Use and Transportation Committee.

160321 **[Planning Code - Housing Balance Report]**
Sponsor: Kim
Ordinance amending the Planning Code to require inclusion in the Housing Balance Report data about the withdrawal of housing units from the rental market by all means, including owner move-ins; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.
04/05/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/5/2016.

Resolutions

160299 **[Contract Agreement - Skidata, Inc. - Replacement of Parking Access and Revenue Control Systems at 22 Off-Street Parking Facilities - Not to Exceed $19,848,007]**
Sponsor: Farrell
Resolution authorizing the Director of Transportation of the San Francisco Municipal Transportation Agency (SFMTA) to enter into a contract with Skidata, Inc., for the equipment, software, and professional services required to install and maintain a new parking access and revenue-control system at 22 off-street parking facilities, for a total not to exceed $19,848,007 and a term to commence following Board approval through June 30, 2029; and affirming the SFMTA determination under the California Environmental Quality Act. (Municipal Transportation Agency)
(Fiscal Impact)
03/28/16; RECEIVED FROM DEPARTMENT.
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160322 **[Ground Lease Amendment - 1555 Turk Street - Laurel Gardens of Bethel A.M.E. Church, L.P. - Up to $950,000 per Year, Including Mandatory $15,000 per Year Base Rent]**
Sponsor: Breed
Resolution authorizing the execution and performance of an amendment to a Long-Term Ground Lease of 99 years in length between the City and County of San Francisco and Laurel Gardens of Bethel A.M.E. Church, L.P., a California limited partnership, for real property located at 1555 Turk Street, in connection with the refinancing and rehabilitation of 52 units of affordable housing for low and very low income individuals and families, for an annual rent amount of up to $950,000 per year, including a mandatory $15,000 per year base rent. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160323 **[Accept and Expend Gift - Envisions Solar International - Solar Powered Electric Vehicle Chargers - $139,650]**

Sponsors: Farrell; Mar

Resolution authorizing the San Francisco Department of the Environment to accept a gift from Envisions Solar International of three solar-powered electric vehicle chargers with a value of $139,650. (Environment)

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160324 **[Cooperative Agreement - California Department of Transportation - Lombard Street Vision Zero Project]**

Sponsor: Farrell

Resolution approving a cooperative agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the development, review, and approval of the project initiation document for the Lombard Street Vision Zero Project, including pedestrian safety, transit improvements, and utility upgrades along Lombard Street between Francisco Street and Van Ness Avenue, and making environmental findings. (Public Works)

04/05/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160325 **[Multifamily Housing Revenue Bonds - 510 Folsom Street (also known as Transbay Block 9) - Not to Exceed $175,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of tax exempt residential rental housing bonds in an aggregate principal amount not to exceed $175,000,000 to finance costs of the construction of 311 rental housing units to be located on the first 21 floors of a 42 story mixed use building to be constructed at 510 Folsom Street (also known as Transbay Block 9), and related parking and other improvements (the "Project"); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the tax exempt residential rental housing bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of tax exempt residential rental housing bonds by the City in an aggregate principal amount not to exceed $175,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160326 **[Lease of City Property - Poets Café LLC - Main Library at 100 Larkin Street - $3,600 per Year]**

Sponsor: Kim

Resolution authorizing the Director of Property to execute a three-year café lease to commence following Board approval between the City and County of San Francisco and Poets Café LLC, for the lease of City-owned property within the Main Library located at 100 Larkin Street, for $3,600 per year. (Public Library)

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160327 **[Accept and Expend Grant - Association of Bay Area Governments - Bay Area Regional Energy Network Program - $609,258]**
Sponsor: Wiener
Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of $609,258 to perform various activities as part of a Bay Area Regional Energy Network program, an energy efficiency program for the term of July 31, 2015, through December 31, 2016. (Environment)
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160328 **[Accept and Expend Grant - California Department of Public Health - Hepatitis C Virus Testing and Linkages to Care Demonstration Projects - $456,000]**
Sponsor: Wiener
Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $456,000 from the California Department of Public Health to participate in a program entitled Hepatitis C Virus Testing and Linkages to Care Demonstration Projects for the period of March 1, 2016, through June 30, 2016. (Public Health Department)
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160329 **[Accept and Expend Gift - Molly Fleischner - Laguna Honda Hospital Gift Fund - $100,000]**
Sponsor: Yee
Resolution authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept and expend a gift of $100,000 from Ms. Molly Fleischner to the Laguna Honda Hospital and Rehabilitation Center Gift Fund. (Public Health Department)
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160330 **[Accept and Expend Gift - Estate of Norma Parenti - Laguna Honda Hospital and Rehabilitation Center Gift Fund - $26,673.29]**
Sponsors: Yee; Breed
Resolution retroactively authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept and expend a gift of $26,673.29 from the Estate of Norma Parenti to the Laguna Honda Hospital and Rehabilitation Center Gift Fund for the period of April 1, 2016, through March 31, 2026. (Public Health Department)
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160331 **[Accept and Expend Grant - United States Department of Education - Early Learning Quality Improvement System - $2,020,560]**
Sponsor: Yee
Resolution retroactively authorizing the San Francisco Children and Families Commission to accept and expend an increase to the grant from the United States Department of Education through the California Department of Education in the amount of $300,000 for a total of $2,020,560 for support of an Early Learning Quality Improvement System for the period of July 1, 2012, through June 30, 2016. (First 5 SF Children and Families Commission)
04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160332 **[Encouraging All 18 to 44 Year Olds to Register as Bone Marrow Donors]**
Sponsors: Breed; Tang, Yee, Kim, Mar, Peskin, Wiener, Cohen, Avalos and Campos
Resolution encouraging all members of the public aged 18 to 44 to register as bone marrow donors and help close the racial gap in cancer treatment so people of all ethnicities have a second chance to live through a marrow transplant.

04/05/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160333 **[Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools and Significant Contributions to Regional Housing Development]**
Sponsors: Peskin; Campos
Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bills 2501, authored by Assembly Members Bloom and Low, and 2522, authored by Assembly Member Bloom, to grant exceptions from state density bonus requirements to jurisdictions that exist as both a City and a County, with a population greater than 600,000.

04/05/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160334 **[Rename James Alley to "Rose Pak's Way □□□□"]**
Sponsors: Peskin; Farrell, Wiener, Kim, Mar, Yee, Avalos, Tang, Campos and Cohen
Resolution changing the name of James Alley, an alleyway off of Jackson Street in Chinatown, to "Rose Pak's Way □□□□" in recognition of Rose Pak's contributions to the City and County of San Francisco and the Chinatown community.

04/05/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160335 **[Waiver Permitting City Employees to Assist the Department of Elections with the June 7, 2016, Consolidated Election]**
Sponsor: Breed
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 7, 2016, Consolidated Election.

04/05/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

160336 **[Hearing - Policy and Budget Priorities - Youth Commission - FYs 2016-2017 and 2017-2018]**
Sponsor: Farrell
Hearing to receive an update on the San Francisco Youth Commission's Policy and Budget Priorities for FYs 2016-2017 and 2017-2018.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160337 **[Hearing - Comprehensive Report on Family Violence - Family Violence Council - FY2013-2014]**
Sponsor: Tang
Hearing on the Family Violence Council's 5th Comprehensive Report on family violence in San Francisco for FY2013-2014; and requesting the Department on the Status of Women to report.
04/05/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

160272 **[Administrative Code - Exempting California State University Fresno Foundation from Nonprofit Public Access Ordinance]**
Ordinance exempting California State University Fresno Foundation from the Nonprofit Public Access Ordinance, Administrative Code, Chapter 12L, to facilitate the Human Services Agency's entering into a contract with the Foundation for training services required by State law for child welfare staff, supervisors, and foster parents. (Human Services Agency)
03/22/16; RECEIVED FROM DEPARTMENT.

04/05/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/5/2016.

160294 **[Health Code - Public Water System Cross-Connection Control and Backflow Prevention]**
Ordinance amending the Health Code to regulate cross-connection and backflow prevention requirements to protect the public water system by replacing obsolete requirements with requirements consistent with current state and federal drinking water quality laws; by reorganizing, updating, and clarifying procedures for implementing such requirements; and by authorizing remedies and penalties for violations and providing enforcement criteria and procedures; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)
03/24/16; RECEIVED FROM DEPARTMENT.

04/05/16; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/5/2016.

PROPOSED RESOLUTIONS

160218 **[Annual Fundraising Drive - 2016]**
Resolution designating those agencies qualified to participate in the 2016 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

03/21/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160273 **[Street Artist Spaces - Market Street, Drumm to Spear Streets]**
Resolution approving designation of four selling spaces on the north side of Market Street, Drumm to Spear Streets, for use by street artists certified by the Arts Commission of the City and County of San Francisco; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size, distance from entrances, distance from crosswalks, and distance between artists' displays. (Arts Commission)

03/18/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160274 **[Real Property Lease - 1030 Polk Associates LP - Tenant Improvements - 2000 Oakdale Avenue - $150,000 Rent in the Base Year - $2,700,000 Estimated Tenant Improvements Cost]**
Resolution authorizing the Director of Property, on behalf of San Francisco Public Works, to execute a lease of 9,900 rentable square feet at 2000 Oakdale Avenue at a base-year rent expense to City of $150,000 for an initial term of ten years to commence following Board approval, plus three five-year options to extend; and construction of tenant improvements costing the City an estimated $3,200,000. (Public Works)
(Fiscal Impact.)

03/18/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160275 **[Contract Amendment - Alliant Insurance Services, Inc. - Insurance Broker and Risk Management Consulting Services - $59,848,705]**
Resolution authorizing the Director of Risk Management to enter into the Second Amendment of a contract with Alliant Insurance Services, Inc., for Insurance Broker and Risk Management Consulting Services, to increase the contract limit from $32,288,248 to $59,848,705 for the term of June 1, 2013, through July 30, 2018. (City Administrator)
(Fiscal Impact)

03/21/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160276 **[Master Lease Amendment, Sublease Amendment - AMB Pier One LLC, Port - Pier 1]**

Resolution approving the Second Amendment to Lease No. L-12838 at Pier 1 with AMB Pier One LLC, a California limited liability company, including an option to extend for an additional fifteen-year term; and approving the First Amendment to the Port of San Francisco sublease at Pier 1; each as approved by the Port Commission. (Port)

03/21/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160277 **[Settlement of Unlitigated Claim - Henry L. Thompson - $225,000]**

Resolution approving the settlement of the unlitigated claim filed by Henry L. Thompson against the City and County of San Francisco for $225,000; the claim was filed on May 1, 2015; the claim involves an employment dispute. (City Attorney)

03/21/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160295 **[Lease Agreement - Bank of America, N.A. - $365,000 Minimum Annual Guarantee]**

Resolution approving the Domestic Terminals 1 and 3 Automated Teller Machines Lease No. 16-0070 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $365,000 for the first year of the Lease for a five-year term to commence following Board approval, with a two-year option to extend exercisable at the sole discretion of the Airport Commission. (Airport Commission)

03/23/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160296 **[Lease Agreement - Bank of America, N.A. - $270,000 Minimum Annual Guarantee]**

Resolution approving the International Terminal Automated Teller Machines Lease No. 16-0069 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $270,000 for the first year of the Lease for a five-year term to commence following Board approval with a two-year option to extend exercisable at the sole discretion of the Airport Commission. (Airport Commission)

03/23/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160297 **[Lease Agreement - Swissport Cargo Services, L.P. - West Field Cargo Building 632 and Related Areas on Plot 9 - $2,345,996.92]**

Resolution approving Lease Agreement No. 14-0263 between Swissport Cargo Services, L.P., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 19,048 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of $2,345,996.92 for a three-year initial term to commence following Board approval, and two one-year options to extend. (Airport Commission)

03/23/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160298 **[Emergency Work - Designing, Repairing, and Upgrading Security Systems for County Jail Nos. 1 and 2 - Not to Exceed $2,967,000]**

Resolution approving emergency public work by San Francisco Public Works under Administrative Code, Section 6.60, to design, repair, and upgrade the central control intercom and attendant security systems at the Sheriff's Department's County Jail Nos. 1 and 2, both located at 425-7 Street, with an amount not to exceed $2,967,000. (Public Works)
(Fiscal Impact.)

03/25/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160302 **[Contract Approval - Univar USA, Inc. - Purchase of Sodium Hypochlorite - Estimated Not to Exceed $24,000,000]**

Resolution approving the contract between the City and County of San Francisco and Univar USA, Inc., pursuant to Charter, Section 9.118(b), for purchase of sodium hypochlorite with an initial amount not to exceed $14,500,000 for a term of June 1, 2016, through May 31, 2019; with two options to extend the agreement for up to one year each with a total amount not to exceed $24,000,000 for the term ending March 31, 2021. (Office of Contract Administration)
(Fiscal Impact.)

03/21/16; RECEIVED FROM DEPARTMENT.

04/05/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Peskin
To: Department of Building Inspection
Requesting/Inquiring: Supervisor Peskin requests a best estimate of the cost and work scope of a citywide physical assessment of the code compliance and long term viability of our existing SRO housing stock, which would have an emphasis on what deferred maintenance of structural, light, air, electrical and safety requirements need attention citywide.

In Memoriams

Patricia Armstrong Watkins - Entire Board
Jack Russell Storrs - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:38 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 10, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 12, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 12, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:03 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of March 8, 2016. There were no corrections.

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of March 8, 2016. The motion carried by the following vote, following general public comment:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

150732 **[Building, Administrative Codes - Mandatory Disability Access Improvements; Building Owner's Notice to Tenant; Administrative Fee]**
Sponsors: Tang; Mar
Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Administrative Code, Chapter 38, to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

Ordinance No. 051-16

FINALLY PASSED

160221 **[Appropriation - Community Impact Improvement Fees - Eastern Neighborhoods Infrastructure Improvement Projects - $739,671 - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating $739,671 of Community Improvement Impact Fees revenue to the Recreation and Park Department to support the Eastern Neighborhoods Infrastructure Improvement Projects in FY2015-2016.
(Fiscal Impact)

Ordinance No. 050-16

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee

151164 **[Planning Code - Landmark Designation - 171 San Marcos Avenue (aka Cowell House)]**
Sponsors: Yee; Peskin
Ordinance designating 171 San Marcos Avenue (aka Cowell House), Assessor's Block No. 2882, Lot No. 035, as a Landmark under Planning Code, Article 10; and making environmental findings, public necessity, convenience and welfare findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 052-16

FINALLY PASSED

160100 **[Administrative Code - No-Fault Eviction Protections During School Year]**
Sponsors: Campos; Kim, Avalos, Mar, Cohen and Breed
Ordinance amending the Administrative Code to prevent certain no-fault evictions (owner move-in, condominium conversion, removal of rental unit, capital improvement, and substantial rehabilitation) during the school year if a child under 18 or a person who works at a school in San Francisco resides in the rental unit, is a tenant or has a custodial or family relationship with a tenant, and the tenant has resided in the unit for 12 months or more, provided, however, that this ordinance would not restrict the timing of evictions performed in connection with mandatory seismic retrofits pursuant to Building Code, Chapter 34B, and Administrative Code, Chapter 65A; and to remove existing exceptions for owners that apply to owner move-in evictions during the school year.

Ordinance No. 055-16

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

160024 **[Police, Administrative Codes - All-Gender Toilet Facilities]**
Sponsors: Campos; Farrell, Kim, Avalos, Mar, Yee, Wiener and Breed
Ordinance amending the Police Code to mandate that businesses and places of public accommodation designate single-user toilet facilities that are available to the public or employees as all-gender and accessible to persons of any gender identity, and require enforcement of the signage requirements by the Department of Building Inspection; amending the Administrative Code to require buildings on land that the City owns or leases to provide all-gender toilet facilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 053-16

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

160153 **[Street Vacation - James Alley - Chinese Hospital Improvements]**
Sponsor: Peskin

Ordinance ordering the street vacation of James Alley, generally bounded by Assessor's Block No. 0192 and Jackson Street, as part of improvements to the Chinese Hospital; approving a quitclaim of the City's interest in the vacation area pursuant to the terms and conditions of a Purchase and Sale Agreement between the City and County of San Francisco, as seller, and Chinese Hospital Association, as buyer; reserving various easement rights in favor of third party utilities and private property owners; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

Ordinance No. 056-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Budget and Finance Sub-Committee

160065 **[Police Code - Paid Parental Leave for Bonding with New Child]**
Sponsors: Wiener; Yee, Mar and Breed

Ordinance amending the Police Code to require employers to provide supplemental compensation to employees who are receiving State Paid Family Leave for purposes of bonding with a new child. (Economic Impact)

Supervisors Mar and Breed requested to be added as co-sponsors.

Ordinance No. 054-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Public Safety and Neighborhood Services Committee

160223 **[Declaring Existence of a Shelter Crisis]**
Sponsors: Campos; Kim, Avalos, Mar, Yee, Breed, Peskin and Cohen
Ordinance making findings and declaring the existence of a shelter crisis in San Francisco under California Government Code, Sections 8698, et seq.

Ordinance No. 057-16

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Yee
Noes: 2 - Tang, Wiener

NEW BUSINESS

Recommendation of the Budget and Finance Committee

160151 **[Public Employment - Annual Salary Ordinance Amendment - Office of Small Business in the Mayor's Office of Economic and Workforce Development - FYs 2015-2016 and 2016-2017]**
Sponsors: Campos; Peskin
Ordinance amending Ordinance No. 129-15 (Annual Salary Ordinance - FYs 2015-2016 and 2016-2017) to reflect the addition of one (1) 9774 Sr. Community Development Specialist for the equivalent of seven full pay periods before the end of FY2015-2016 in the Office of Small Business in the Mayor's Office of Economic and Workforce Development (ECN) to administer the Legacy Business Registry and Historic Preservation Fund.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

President Breed requested File Nos.151080, 151081, and 151085 be called together.

151080 **[Administrative Code - Establishing Mayor's Nuisance Abatement Revolving Loan Fund]**
Sponsors: Wiener; Cohen
Ordinance amending the Administrative Code to establish the Mayor's Nuisance Abatement Revolving Loan Fund to help building owners finance repairs and improvements needed to abate violations of Building Inspection Commission Codes.

Supervisor Cohen requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

151225 **[Taxable and/or Tax Exempt Certificates of Participation - Affordable Housing Projects - Not to Exceed $95,000,000]**

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed $95,000,000 to provide funds to assist in the development, acquisition, construction or rehabilitation of affordable rental housing projects; approving the form of a Supplemental Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Supplemental Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Supplemental Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale, including approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance City policies; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160148 **[Agreement - Accept Vizient, Inc., Common Stock - Authorization to Accept Distribution of Shares]**

Resolution approving the acceptance of a distribution of Vizient, Inc. common stock, by and through the Department of Public Health, and authorizing the Director of Health to enter into an agreement with Vizient to accept the distribution of shares, including the 11th Amended Stockholders' Agreement and the Joinder to the Amended and Restated Stockholders' Agreement. (Public Health Department)

Resolution No. 121-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160257 **[California Enterprise Development Authority Issuance of Tax-Exempt Bonds - Brandeis School of San Francisco - Not to Exceed $10,000,000]**

Sponsor: Yee

Resolution approving in accordance with Internal Revenue Code of 1986, as amended, Section 147(f) thereof, the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $10,000,000 to refinance various capital facilities owned by the Brandeis School of San Francisco.

Resolution No. 123-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160282 **[Agreement Amendment - Leaders in Community Alternative, Inc. - Operation of the Community Assessment and Services Center - Reentry Service - Not to Exceed $11,490,153]**
Sponsor: Kim
Resolution approving the fifth amendment to an agreement between the Adult Probation Department and Leaders in Community Alternatives, Inc., for reentry services and operations of the Community Assessment and Services Center, to increase the contract amount to $11,490,153 over the agreement term of June 1, 2012, through June 30, 2017.
(Fiscal Impact)

Resolution No. 124-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160283 **[Office Space Lease - PBV II, LLC - 564-6 Street - $848,190 in Initial Year]**
Sponsor: Kim
Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and PBV II, LLC, as Landlord, of office space located at 564-6 Street, consisting of approximately 17,500 square feet from July 1, 2016, through June 30, 2026, subject to City's termination rights, for use by the Adult Probation Department at $70,682.50 monthly; for $848,190 rent in the initial year with annual 3% increases and four five-year options to extend.
(Fiscal Impact)

Resolution No. 125-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

151081 **[Building Code - Permit Suspension for Repeat Violations]**
Sponsors: Wiener; Cohen and Tang
Ordinance amending the Building Code to authorize the Director of the Department of Building Inspection to stop all work on a construction project whenever there are repeated violations of City codes on the project; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Tang requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

151085 **[Various Codes - Code Enforcement Procedures]**
Sponsors: Wiener; Cohen
Ordinance amending the Building, Housing, Electrical, Plumbing, Fire, Health, Planning, and Administrative Codes to clarify and standardize enforcement procedures for violations of Municipal Codes relating to buildings and property, to require departments to report on code enforcement activities, and to direct the City Administrator to coordinate the preparation of standard Citywide model forms for code enforcement proceedings; setting an operative date of June 1, 2016; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160155 **[Public Works Code - Stormwater Management Requirements]**
Sponsor: Wiener
Ordinance amending the Public Works Code to incorporate changes to ensure consistency and compliance with California's municipal stormwater permit requirements; to revise application of the requirements from projects disturbing 5,000 square feet of ground surface area to projects that include construction or remodeling of 5,000 square feet of impervious surface area; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

151109 **[Establishing the SoMa Pilipinas - Filipino Cultural Heritage District in San Francisco]**
Sponsors: Kim; Mar, Wiener, Avalos, Campos, Peskin, Cohen, Yee and Breed
Resolution establishing the SoMa Pilipinas - Filipino Cultural Heritage District in the City and County of San Francisco.

Supervisor Breed requested to be added as a co-sponsor.

Resolution No. 119-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Supervisor Peskin, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Sound End Rowing Club member, Jeff Gunderson, in recognition of his second heroic suicide rescue within the last ten years.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Natalie Elicetche in recognition of her being awarded the Department of Emergency Management's 2016 Dispatcher of the Year Award.

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Donna Cahill, Executive Director for Holy Family Day Home, in recognition of her many accomplishments and for providing quality early childhood and family support services for 19 years.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

160215 **[Hearing - Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One]**

Hearing of persons interested in or objecting to a proposed Ordinance (File No. 160150) approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, to increase the maximum height limit from 300 feet to 400 feet on Block 1 (Assessor's Block No. 3740, Lot Nos. 027, 029, 030, 031, 032) within Zone One of the Transbay Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

President Breed opened the public hearing and Supervisor Kim provided opening remarks related to the project. The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Transbay Redevelopment Project Area, Zone One (File No. 160150). Shane Hart, Jose Campos, and Tiffany Bohee, Executive Director (Office of Community Investment and Infrastructure), and Carl Shannon provided an overview of the project and responded to questions raised throughout the discussion. Christopher Dahl; Rudy Corpuz, Jr. (United Playaz); Joel Koppel (IBEW Local 6); Paul Weber; Harvey Moore; Thomas O'Connor (Fire Fighters Local 798); Tony Rodriguez (Sprinkler Fitters Local 483); Michael Theriault (SF Building Trades Council); Peter Hartman (Transbay CAC); James Versfelt and Toby Hoshman (Hi-Dive); Carrie Kwong (1400 Mission Homeowner); Lauren Post (Greater Rincon Hill CBD); Angie Dumagsa (1400 Mission Homeowner); Delavisa Bravo; Male Speaker; Robert Devlin (Polaris Pacific); Monica Wilson; Javier Flores (Laborers Local 261); Adrian Simi (Carpenters Local 22); Danny Campbell (Sheet Metal Worksers Local 104); Isis; Ken; Laura Clarke (Grow SF); Tom Gilberty; spoke in support of the project. Reed Bernan; Blake Feinstein; Jerome Dodson (Save Rincon Park); Steve Cookson; Alyce Desrosiers (Save Rincon Park); Jenny Chen; spoke in opposition to the project. Silvia Johnson; spoke neither in support nor against the project. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Campos assumed the chair at 4:30 p.m. The President resumed the chair at 4:38 p.m.

Committee of the Whole Adjourn and Report

160150 **[Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One]**

Sponsors: Mayor; Kim

Ordinance approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, to increase the maximum height limit from 300 feet to 400 feet on Block 1 (Assessor's Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032) within Zone One of the Transbay Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of April 19, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

160133 **[First Amended Tolling Agreement - California Department of Fish and Wildlife, Office of Spill Prevention and Response - San Mateo Creek Discharges]**

Resolution approving a First Amended Tolling Agreement to toll the statutes of limitations for the California Department of Fish and Wildlife, Office of Spill Prevention and Response, to bring potential claims against the San Francisco Public Utilities Commission for discharges of chlorinated water into San Mateo Creek. (City Attorney)

Resolution No. 120-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

160188 **[General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2]**

Ordinance amending the General Plan by revising Map 5 of the Downtown Area Plan to include a note stating that the proposed Height and Bulk Districts on Block 1 (Assessor's Parcel Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032), on Folsom Street between Main and Spear Streets, and a portion of Block 2 (Assessor's Parcel Block No. 3739, Lot No. 004), on Folsom and Main Streets, of the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160253 **[Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**
Sponsor: Peskin
Ordinance exempting The Humidor, formerly located at 275 Battery Street, from two prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit in a Supervisorial District with 45 or more such permits, and on issuing the permit to a tobacco shop.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; shared concerns and suggestions regarding the proposed Navigation Centers.
Andrew Yip; shared his various experiences with the Board.
Peter Warfield; shared his concerns regarding library fines and fees.
Christopher Dahl; shared experiences regarding high-rise residential living.
Robert Williams (SF Prevention Coalition); expressed his support of File No. 160229 regarding denial of alcohol license applications for non-traditional retail businesses.
Britteny Rodriguez (SF Prevention Coalition); expressed her support of File No. 160229 regarding denial of alcohol license applications for non-traditional retail businesses.
Devin (SF Prevention Coalition); expressed his support of File No. 160229 regarding denial of alcohol license applications for non-traditional retail businesses.
Drake Lowe (SF Prevention Coalition); expressed his support of File No. 160229 regarding denial of alcohol license applications for non-traditional retail businesses.
Laura Schmidt (UC San Francisco); expressed her support of File No. 160229 regarding denial of alcohol license applications for non-traditional retail businesses.
Silvia Johnson; shared her various experiences with the Board.
Tom Gilberty; shared his concerns and suggestions regarding police-related shootings.
Male Speaker; shared various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160332 **[Encouraging All 18 to 44 Year Olds to Register as Bone Marrow Donors]**
Sponsors: Breed; Tang, Yee, Kim, Mar, Peskin, Wiener, Cohen, Avalos and Campos
Resolution encouraging all members of the public aged 18 to 44 to register as bone marrow donors and help close the racial gap in cancer treatment so people of all ethnicities have a second chance to live through a marrow transplant.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 126-16

ADOPTED

160335 **[Waiver Permitting City Employees to Assist the Department of Elections with the June 7, 2016, Consolidated Election]**
Sponsor: Breed
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 7, 2016, Consolidated Election.

Motion No. M16-043

APPROVED

160334 **[Rename James Alley to "Rose Pak's Way □□□□"]**
Sponsors: Peskin; Farrell, Wiener, Kim, Mar, Yee, Avalos, Tang, Campos and Cohen
Resolution changing the name of James Alley, an alleyway off of Jackson Street in Chinatown, to "Rose Pak's Way □□□□" in recognition of Rose Pak's contributions to the City and County of San Francisco and the Chinatown community.

Resolution No. 128-16

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 160229 be severed so that it may be considered separately.

160229 **[Urging the California Department of Alcohol Beverage Control to Deny Formula Retail Food and Drink Establishments That Do Not Traditionally Sell Alcohol]**
Sponsors: Mar; Kim
Resolution urging the California Department of Alcoholic Beverage Control to deny alcohol license applications of non-traditional alcohol retail businesses in the City and County of San Francisco.

Supervisor Mar, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to change the description of the type of businesses from 'non-traditional alcohol retail businesses' to 'formula retail food and drink establishments that do not traditionally sell alcohol'; add a 'WHEREAS' clause stating the intent of the resolution; strike a 'WHEREAS' clause regarding alcohol use in San Francisco; add a 'WHERAS' clause regarding alcohol consumption being a major contributor to premature mortality in San Francisco; strike a 'WHERAS' clause regarding the findings published by the Medical Examiner; and add 'San Francisco Alcohol Policy Partnership Working Group' and 'San Francisco Friday Night Live' as supporters. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution to urge the California Department of Alcohol Beverage Control to deny alcohol license applications of Formula Retail food and drink establishments that do not traditionally sell alcohol in San Francisco.

Resolution No. 122-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Cohen requested that File No. 160258 be severed so that it may be considered separately.

160258 **[Supporting California State Senate Bill 1286 (Leno) - Increasing Law Enforcement Transparency]**

Sponsors: Cohen; Breed, Kim, Avalos, Peskin, Mar, Yee and Campos

Resolution supporting California State Senate Bill 1286, authored by Senator Mark Leno, improving government transparency and accountability by allowing the public to access information on police misconduct and use of force.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Cohen, seconded by Supervisor Tang, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 19, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Peskin requested that File No. 160333 be severed so that it may be considered separately.

160333 **[Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools and Significant Contributions to Regional Housing Development]**

Sponsors: Peskin; Campos

Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bills 2501, authored by Assembly Members Bloom and Low, and 2522, authored by Assembly Member Bloom, to grant exceptions from state density bonus requirements to jurisdictions that exist as both a City and a County, with a population greater than 600,000.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Tang, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to urge the California state legislators to oppose Assembly Bill (AB) 2522 rather than amend; urge amendments to state AB 2501 shall not apply to jurisdictions that have at least 25% of affordable to very low, low, and moderate income residents; add a 'RESOLVED' clause regarding San Francisco's commitment to utilize all affordable housing policy tools to achieve local housing balance goals for all income levels; add a 'RESOLVED' clause to urge the state legislators to oppose AB 2522; and add a 'RESOLVED' clause to state the Board of Supervisors will continue to collaborate with state legislators to make the State Density Bonus law workable in a dense urban environment. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant exceptions from state density bonus requirements, and to oppose Assembly Bill 2522, authored by Assembly Member Bloom.

Resolution No. 127-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

160199 **[Administrative Code - Prevailing Wages for Commercial Vehicle Loading and Unloading on Park Property]**
Sponsor: Wiener
Ordinance amending the Administrative Code to require that prevailing wages be paid for work loading or unloading materials, goods, or products for special events on City park property, and the driving of commercial vehicles for that purpose.
(Fiscal Impact)

03/01/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/31/2016.

03/15/16; REFERRED TO DEPARTMENT.

04/05/16; TRANSFERRED to Budget and Finance Sub-Committee.

04/12/16; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

160255 **[Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]**

Sponsors: Kim; Peskin, Yee and Mar

Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/15/16; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Transportation Committee.

03/22/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

03/29/16; REFERRED TO DEPARTMENT.

04/04/16; RESPONSE RECEIVED.

04/08/16; NOTICED.

04/11/16; RESPONSE RECEIVED.

04/12/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160357 **[Appropriation - Proceeds from Short-Term Certificates of Participation - Transbay Transit Center Project - $260,000,000 - FY2015-2016]**

Sponsors: Mayor; Kim, Wiener and Campos

Ordinance appropriating $260,000,000 of proceeds from short-term certificates of participation to general City responsibility for interim financing related to the Transbay Transit Center Project in FY2015-2016.

(Fiscal Impact.)

04/12/16; ASSIGNED to Budget and Finance Sub-Committee.

160358 **[Appropriation and De-Appropriation - Surplus Revenue and Expenditures - Supporting Increased Overtime Expenditures - $24,682,824 - FY2015-2016]**

Sponsor: Mayor

Ordinance appropriating $3,272,880 surplus revenues, de-appropriating $20,544,255 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating $23,817,135 to overtime in the Sheriff's Department, Department of Emergency Management, Fire Department, Public Health Department, Public Utilities Commission, and Police Department operating budgets in order to support the Departments' projected increases in overtime as required per Ordinance No. 194-11 in FY2014-2015; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Fire Department overtime appropriations, pursuant to Charter, Section 9.113(c).

(Fiscal Impact; No Budget and Legislative Analyst Report.)

04/12/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/12/2016.

160359 **[Administrative Code - Establishing Municipal Fines and Fees Task Force]**
Sponsors: Avalos; Kim and Cohen
Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force.

04/12/16; ASSIGNED to Rules Committee.

160360 **[Zoning Map - Rezoning Potrero HOPE SF Parcels at 25th and Connecticut Streets]**
Sponsor: Cohen
Ordinance amending the Planning Code to facilitate development of the Potrero HOPE SF (Housing Opportunities for People Everywhere San Francisco) Project by revising Zoning Map Sheet ZN08 to rezone Assessor's Parcel Block No. 4287, Lot No. 007, at 25th and Connecticut Streets from Public (P) to Residential, Mixed Districts, Moderate Density (RM-2); revising Zoning Map Sheet HT08 to rezone Assessor's Parcel Block No. 4287, Lot Nos. 001A and 007, from a 40-X height and bulk limit to a 50-X height and bulk limit; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/12/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/12/2016.

160361 **[Administrative Code - Appraisals for the Acquisition, Conveyance, and Lease of Real Property]**
Sponsors: Peskin; Campos
Ordinance amending the Administrative Code to require appraisals and appraisal reviews for certain City acquisitions, conveyances, and leases of real property; requiring that appraisals conform to the Uniform Standards of Professional Appraisal Practice and be prepared by qualified appraisers; and increasing the rent limits for the Director of Property's existing authority to enter into leases for the City.

04/12/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/12/2016.

160362 **[Administrative Code - Collection of Sexual Orientation and Gender Identity Data]**
Sponsor: Wiener
Ordinance amending the Administrative Code to require City departments and contractors that provide health care and social services to seek to collect and analyze data concerning the sexual orientation and gender identity of the clients they serve.

04/12/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/12/2016.

Resolutions

160363 **[Annexation of Property to City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]**
Sponsors: Mayor; Kim, Wiener and Campos
Resolution determining that certain property in the future annexation area, namely Assessor's Parcel Block No. 3721, Lot No. 019, Block No. 3721, Lot No. 020, and Block No. 3721, Lot No. 029, is Annexed to the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160364 **[Certificates of Participation - Interim Financing for Phase 1 of the Transbay Transit Center Project - Not to Exceed $260,000,000]**
Sponsors: Mayor; Kim, Wiener and Campos
Resolution approving and authorizing the execution and delivery of Tax Exempt and/or Taxable Lease Revenue Commercial Paper Certificates of Participation and Tax Exempt and/or Taxable Direct Placement Revolving Certificates of Participation in a combined aggregate principal of amount not to exceed $260,000,000 to provide interim financing for Phase 1 of the Transbay Transit Center Project; approving and authorizing execution of one or more trust agreements, site leases, subleases, a leaseback, one or more letters of credit and reimbursement agreements and/or lines of credit, and one or more certificate purchase agreements and related documents; and Declaring the Official Intent of the City to reimburse itself from proceeds of Tax-Exempt Obligations in accordance with the Internal Revenue Code of 1986, as amended; and making certain public benefit findings for the Transbay Transit Center Project under California Government Code, Section 6586.5.
(Fiscal Impact.)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160365 **[Apply for, Accept, and Expend Grant - Community Development Block Grant Program - $19,163,346 - FY2016-2017]**
Sponsor: Mayor
Resolution approving the FY2016-2017 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $16,485,875, and to expend program income and reprogrammed funds in the amount of $2,677,471, for a period beginning July 1, 2016, through the date when all funds are expended. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160366 **[Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - $9,213,182 - FY2016-2017]**
Sponsor: Mayor
Resolution approving the FY2016-2017 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $7,089,501 and to expend program income and reprogrammed funds in the amount of $2,123,681 for a combined total of $9,213,182 for the period of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160367 **[Apply for, Accept, and Expend Grant - HOME Program - $4,236,238 - FY2016-2017]**
Sponsor: Mayor
Resolution approving the FY2016-2017 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $4,136,238 and to expend program income in the amount of $100,000 for a combined total of $4,236,238 for the term of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160368 **[Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - $1,484,425 - FY2016-2017]**

Sponsor: Mayor

Resolution approving the FY2016-2017 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of $1,484,425 for an unspecified period starting July 1, 2016. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160369 **[Multifamily Housing Revenue Bonds - 1101 Connecticut Street (also known as Potrero Block X) - Not to Exceed $56,000,000]**

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $56,000,000 for 1101 Connecticut Street (also known as Potrero Block X); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $56,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160370 **[Multifamily Housing Revenue Bonds - Transbay Block 7 Affordable Housing - Not to Exceed $35,000,000]**

Sponsor: Kim

Resolution authorizing the issuance, sale, and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $35,000,000 for the purpose of providing financing for the construction of a 120-unit multifamily rental housing project known as Transbay Block 7 Affordable Housing; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160371 **[Multifamily Housing Revenue Bonds - 1035 Folsom Street and 21 Columbia Square Street - Not to Exceed $16,000,000]**
Sponsor: Kim
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $16,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 50-unit multifamily residential rental housing project known as Columbia Park Apartments; ratifying the approvals and terms and conditions of a previous Resolution; and related matters. (Mayor's Office of Housing and Community Development)

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160372 **[Urging the California Attorney General to Investigate the Racist Text Messages and Practices of the San Francisco Police Department]**
Sponsors: Cohen; Kim, Yee, Mar and Campos
Resolution urging California Attorney General Kamala Harris initiate a civil-rights investigation, pursuant to California Civil Code, Section 52.3, into the San Francisco Police Department's racist text messages and practices.

04/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160373 **[Asian Pacific American Heritage Month, Day of Commendation - First Tuesday of May]**
Sponsors: Mar; Kim, Tang, Yee, Peskin, Breed, Cohen and Campos
Resolution declaring the first Tuesday of May each year as the Board of Supervisors' commendation date in celebration of Asian Pacific American Heritage Month, and in recognition of outstanding Asian Pacific Americans in each of the eleven Districts in the City and County of San Francisco.

04/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160374 **[Commending the Golden State Warriors for a Historic and Record-Breaking Season]**
Sponsors: Tang; Farrell, Kim, Yee, Cohen, Breed and Campos
Resolution commending the Golden State Warriors for tying the record for most victories in a season with 72 wins during the 2015-2016 National Basketball Association season and wishing the team the best of luck in the postseason.

04/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160375 **[Urging the Department of Human Resources to Analyze and Implement Strategies to Reduce Implicit Bias in Recruitment for Employment]**
Sponsors: Tang; Kim, Cohen, Farrell, Yee, Mar and Avalos
Resolution urging the Department of Human Resources (DHR) to analyze strategies and create a plan to reduce implicit bias in the hiring process for City and County of San Francisco employment, and further urging DHR to report its findings and plan to the Board of Supervisors by June 2016.

04/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160376 **[Committee of the Whole - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen and Seventeen-Year-Old Voting for Municipal Elections - May 3, 2016]**
Sponsor: Avalos
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 3, 2016, at 5:00 p.m., in a joint meeting with the San Francisco Youth Commission, to hold a public hearing to consider the proposed Charter Amendment (File No. 150267) authorizing sixteen and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at the November 8, 2016, election.

04/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160349 **[Committee of the Whole - Report of Assessment Costs for Blighted Properties]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 17, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

160377 **[Hearing - Economic Impact Report on Zoning and Land-Use Regulations]**
Sponsor: Farrell
Hearing on an Economic Impact Report on San Francisco's Zoning and Land-Use regulations; and requesting the Controller's Office to report.

04/12/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160378 **[Hearing - Comprehensive Annual Financial Report - FY2014-2015]**
Sponsor: Peskin
Hearing to present the Comprehensive Annual Financial Report (CAFR), Single Audit, and management letters prepared by the City's external auditors Macias Gini & O'Connell and KPMG, LLP, for FY2014-2015, and their audit plans for FY2015-2016, pursuant to Charter, Section 9.117; and requesting the external auditors and the Controller's Office to report.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

160306 **[Settlement of Unlitigated Claim - Asiana Airlines - City to Receive $3,450,000]**
Ordinance authorizing settlement of an unlitigated claim by the City and County of San Francisco against Asiana Airlines for a payment of $3,450,000 by Asiana Airlines to the City, appropriating funds from the settlement to the City Attorney's Office to pay the City's attorneys' fees and legal expenses, and allocating funds from the settlement to the Airport to pay the Airport's costs; other material terms of the settlement include payment by Asiana Airlines to the City's aviation insurer, the City's acceptance of the site cleanup performed by contractors to Asiana Airlines and approved by the San Francisco Bay Regional Water Quality Control Board, the City's agreement not to originate a lawsuit against the aircraft manufacturer, and mutual release of claims arising out of the July 6, 2013 crash of Asiana Airlines Flight 214; the City made its claim on July 16, 2013. (City Attorney)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160307 **[Settlement of Lawsuit - Fernando Guanill - $150,000]**
Ordinance authorizing settlement of the lawsuit filed by Fernando Guanill against the City and County of San Francisco for $150,000; the lawsuit was filed on October 14, 2015, in the United States District Court for the Northern District of California, Case No. 15-cv-04745 LB; entitled Fernando Guanill v. Michael Robert Lewelling, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160308 **[Settlement of Lawsuit - J.C.R., a Minor, By and Through His Guardian Ad Litem, Guillerma Bojorquez - $50,000]**
Ordinance authorizing settlement of the lawsuit filed by J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez, against the City and County of San Francisco for $50,000; the lawsuit was filed on August 28, 2014, in the United States District Court for the Northern District of California, Case No. 3: 14-cv-3918 NC; entitled J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez v. The City and County of San Francisco, et al. (City Attorney)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160309 **[Settlement of Lawsuit - Fireman's Fund Insurance Company - $125,000]**
Ordinance authorizing settlement of the lawsuit filed by Fireman's Fund Insurance Company against the City and County of San Francisco for $125,000; the lawsuit was filed on July 17, 2014, in San Francisco Superior Court, Case No. CGC-14-540616; entitled Fireman's Fund Insurance Company vs. Alliance of Event Planners and Vendors, Inc., et al.; the lawsuit involves an insurance dispute. (City Attorney)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

160310 **[Early Lease Termination and Reimbursement of Unamortized Construction Costs - Legends Bar of San Francisco, LLC - $70,270]**
Resolution approving the early termination of Boarding Area B Casual Dining and Bar Lease No. 05-0075, between Legends Bar of San Francisco, LLC and the City and County of San Francisco, acting by and through its Airport Commission; and the reimbursement of $70,270 in unamortized construction costs. (Airport Commission)

03/28/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160311 **[Lease Agreement - China Airlines Limited - Airport Building No. 648 and Related Areas on Plot 10 - $5,851,076]**
Resolution retroactively approving and authorizing the execution of Facility Lease Agreement No. 16-0072 for Cargo Building 648 on Plot 10, between China Airlines Limited and the City and County of San Francisco, acting by and through its Airport Commission, for an estimated rent of $5,740,480.68 for a three-year term to commence April 9, 2016, through April 8, 2019, with one three-year option to extend. (Airport Commission)

03/28/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160312 **[Lease Amendment - Hudson News Company - Terminal 1 Boarding Area C Retail Lease - $1,320,973.20 Minimum Annual Guarantee, $2,506 Annual Promotional Charge, and Reimbursing $173,022.24 for Unamortized Construction Costs]**
Resolution approving Amendment No. 1 to the Terminal 1 Boarding Area C Retail Lease No. 09-0093, between Hudson News Company and the City and County of San Francisco, acting by and through its Airport Commission, reducing the minimum annual guarantee to $1,320,973.20, the annual promotional charge to $2,506, and reimbursing the Hudson News Company $173,022.24 for unamortized construction costs. (Airport Commission)
(Fiscal Impact; No Budget and Legislative Analyst Report.)

03/28/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160313 **[Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2016]**

Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2016 calendar year. (Sheriff)

04/01/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160314 **[Contract Amendment - Regents of the University of California, Division of Substance Abuse and Addiction Medicine - Behavioral Health Services - Not to Exceed $27,552,154]**

Resolution retroactively approving amendment number one to the Department of Public Health contract for behavioral health services with the Regents of the University of California, Division of Substance Abuse and Addiction Medicine, to extend the contract by two years, from July 1, 2010, through December 31, 2015, to July 1 2010, through December 31, 2017, with a corresponding increase of $9,648,526 for a total amount not to exceed $27,552,154. (Public Health Department) (Fiscal Impact; No Budget and Legislative Analyst Report.)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160315 **[Agreement Amendment - Cogsdale Corporation - Software Maintenance, FAMIS Project - Maximum Expenditure of $1,759,067.62]**

Resolution authorizing the Controller to enter into the Ninth Amendment of a Software Maintenance Agreement with Cogsdale Corporation, for perpetual software maintenance services for the Controller's Financial Accounting and Management Information System ("FAMIS") Project, extending the contract term of July 1, 2006, through June 30, 2016, up to three years through June 30, 2019, and increasing the maximum expenditure for the Ninth Amendment up to $452,661.65, and a total contract amount up to $1,759,067.62. (Controller)
(Fiscal Impact)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160316 **[Settlement of Unlitigated Claim - 700 Cabrillo Street HOA - $35,000]**

Resolution approving the settlement of the unlitigated claim filed by the 700 Cabrillo Street HOA against the City and County of San Francisco for $35,000; the claim was filed on October 8, 2015; the claim involves alleged property damage arising from a sewage flood. (City Attorney)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160317 **[Public Utilities Commission - Issuance Wastewater Revenue Bonds - Not to Exceed $621,000,000]**

Resolution approving the issuance of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco in an aggregate principal amount not to exceed $621,000,000 to finance and refinance capital projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission) (Fiscal Impact)

04/04/16; RECEIVED FROM DEPARTMENT.

04/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

John Stone - Supervisor Kim
Michael Nicholas Vrîheas - Supervisor Tang
Joan Breed Pierson - President Breed
Sherry Cochran - Supervisor Campos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:58 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 17, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 19, 2016 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT
AUG - 1 2016
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 19, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:04 p.m. On the call of the roll, Supervisor Mar was not present. There was a quorum.

Supervisor Mar was noted present at 2:05 p.m.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of March 15, 2016, or the Budget and Finance Committee Meeting Minutes of March 16, 2016. There were no corrections.

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 15, 2016, and the Budget and Finance Committee Meeting Minutes of March 16, 2016. The motion carried by the following vote, following general public comment:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

AGENDA CHANGES

There were no agenda changes.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

There were no questions submitted from Supervisors representing the even districts. Mayor Edwin Lee addressed the Board of Supervisors on the anniversary of the "The Great 1906 San Francisco Earthquake," he encouraged everyone to visit www.sf72.org to make emergency preparedness plans, and further discussed the City's Navigation Centers to address homelessness in San Francisco. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

160151 **[Public Employment - Annual Salary Ordinance Amendment - Office of Small Business in the Mayor's Office of Economic and Workforce Development - FYs 2015-2016 and 2016-2017]**

Sponsors: Campos; Peskin

Ordinance amending Ordinance No. 129-15 (Annual Salary Ordinance - FYs 2015-2016 and 2016-2017) to reflect the addition of one (1) 9774 Sr. Community Development Specialist for the equivalent of seven full pay periods before the end of FY2015-2016 in the Office of Small Business in the Mayor's Office of Economic and Workforce Development (ECN) to administer the Legacy Business Registry and Historic Preservation Fund.
(Fiscal Impact)

Ordinance No. 063-16

FINALLY PASSED

Recommendations of the Budget and Finance Sub-Committee

151080 **[Administrative Code - Establishing Mayor's Nuisance Abatement Revolving Loan Fund]**

Sponsors: Wiener; Cohen

Ordinance amending the Administrative Code to establish the Mayor's Nuisance Abatement Revolving Loan Fund to help building owners finance repairs and improvements needed to abate violations of Building Inspection Commission Codes.

Ordinance No. 058-16

FINALLY PASSED

151225 **[Taxable and/or Tax Exempt Certificates of Participation - Affordable Housing Projects - Not to Exceed $95,000,000]**

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed $95,000,000 to provide funds to assist in the development, acquisition, construction or rehabilitation of affordable rental housing projects; approving the form of a Supplemental Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Supplemental Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Supplemental Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale, including approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance City policies; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith. (Fiscal Impact)

Ordinance No. 061-16

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

160128 **[Settlement of Lawsuits - California Department of Health Care Services - City to Receive $928,763.44]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against the California Department of Health Care Services, et al., for $928,763.44; the lawsuits were filed on July 24, 2007, and November 3, 2008, in San Francisco Superior Court, Case Nos. CPF-07-507445 and CPF-08-508951; both lawsuits are entitled City and County of San Francisco v. Sandra Shewry, Director of the Department of Health Care Services, State of California, et al.; to compel respondents to approve and pay Short Doyle Medi-Cal claims and implement an appeal procedure for denied claims. (City Attorney)

PASSED, ON FIRST READING

160130 **[Settlement of Lawsuit - Roque and Sonia Ballesteros - $79,000]**

Ordinance authorizing settlement of the lawsuit filed by Roque and Sonia Ballesteros against the City and County of San Francisco for $79,000; the lawsuit was filed on December 31, 2015, in San Francisco Superior Court, Case No. CGC 15-549684; entitled Roque Ballesteros, et al. v. City of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

160241 **[Settlement of Lawsuit - Kuiana Taylor - $49,999]**

Ordinance authorizing settlement of the lawsuit filed by Kuiana Taylor against the City and County of San Francisco for $49,999; the lawsuit was filed on August 6, 2014, in United States District Court for the Northern District of California, Case No. 14-cv-03555 CRB; entitled Kuiana Taylor v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

PASSED, ON FIRST READING

160131 **[Settlement of Unlitigated Claim - Pacific Gas and Electric Company - $37,872.50]**
Resolution approving the settlement of the unlitigated claim filed by the Pacific Gas and Electric Company against the City and County of San Francisco for $37,872.50; claim was filed on August 27, 2015. (City Attorney)

Resolution No. 129-16

ADOPTED

160132 **[Settlement of Unlitigated Claim - Frank Fong - $44,992]**
Resolution approving the settlement of the unlitigated claim filed by Frank Fong against the City and County of San Francisco for $44,992; claim was filed on November 19, 2015. (City Attorney)

Resolution No. 130-16

ADOPTED

160191 **[Settlement of Unlitigated Claim - Robert Monte - $145,000]**
Resolution approving the settlement of the unlitigated claim filed by Robert Monte against the City and County of San Francisco for $145,000; claim was filed on June 12, 2015; the claim involves an alleged injury on a City sidewalk. (City Attorney)

Resolution No. 133-16

ADOPTED

160192 **[Settlement of Unlitigated Claim - Diane Alcala - $225,000]**
Resolution approving the settlement of the unlitigated claim filed by Diane Alcala against the City and County of San Francisco for $225,000; claim was filed on February 4, 2010; the claim involves an employment dispute. (City Attorney)

Resolution No. 134-16

ADOPTED

160245 **[Settlement of Unlitigated Claim - Big Heart Pet Brands - $110,682.83]**
Resolution approving the settlement of the unlitigated claim filed by Big Heart Pet Brands against the City and County of San Francisco for $110,682.83; claim was filed on November 19, 2015; the claim involves a payroll expense tax refund. (City Attorney)

Resolution No. 137-16

ADOPTED

160246 **[Settlement of Unlitigated Claim - FMC Corporation - City to Receive $425,000]**
Resolution approving settlement of the unlitigated claim filed by the City and County of San Francisco against FMC Corporation for $425,000; the claim involves compensation for environmental contamination caused by FMC Corporation. (City Attorney)

Resolution No. 138-16

ADOPTED

Recommendations of the Land Use and Transportation Committee

151081 **[Building Code - Permit Suspension for Repeat Violations]**
Sponsors: Wiener; Cohen and Tang
Ordinance amending the Building Code to authorize the Director of the Department of Building Inspection to stop all work on a construction project whenever there are repeated violations of City codes on the project; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 059-16

FINALLY PASSED

151085 **[Various Codes - Code Enforcement Procedures]**
Sponsors: Wiener; Cohen
Ordinance amending the Building, Housing, Electrical, Plumbing, Fire, Health, Planning, and Administrative Codes to clarify and standardize enforcement procedures for violations of Municipal Codes relating to buildings and property, to require departments to report on code enforcement activities, and to direct the City Administrator to coordinate the preparation of standard Citywide model forms for code enforcement proceedings; setting an operative date of June 1, 2016; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 060-16

FINALLY PASSED

160155 **[Public Works Code - Stormwater Management Requirements]**
Sponsor: Wiener
Ordinance amending the Public Works Code to incorporate changes to ensure consistency and compliance with California's municipal stormwater permit requirements; to revise application of the requirements from projects disturbing 5,000 square feet of ground surface area to projects that include construction or remodeling of 5,000 square feet of impervious surface area; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 064-16

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

160150 **[Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One]**

Sponsors: Mayor; Kim

Ordinance approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, to increase the maximum height limit from 300 feet to 400 feet on Block 1 (Assessor's Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032) within Zone One of the Transbay Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding findings related to the response prepared by the Office of Community Investment and Infrastructure to the written objections received. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

160188 **[General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2]**

Ordinance amending the General Plan by revising Map 5 of the Downtown Area Plan to include a note stating that the proposed Height and Bulk Districts on Block 1 (Assessor's Parcel Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032), on Folsom Street between Main and Spear Streets, and a portion of Block 2 (Assessor's Parcel Block No. 3739, Lot No. 004), on Folsom and Main Streets, of the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Ordinance No. 065-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160253 **[Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**
Sponsor: Peskin
Ordinance exempting The Humidor, formerly located at 275 Battery Street, from two prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit in a Supervisorial District with 45 or more such permits, and on issuing the permit to a tobacco shop.

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by exempting The Humidor from the prohibition on issuing a permit for a location within 500 feet of another permitted establishment, and from the prohibition on issuing a permit for a location not previously occupied by a permitted establishment. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Ordinance exempting The Humidor, formerly located at 275 Battery Street, from four prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit for a location within 500 feet of another permitted establishment, issuing the permit in a Supervisorial District with 45 or more such permits, issuing the permit for a location not previously occupied by a permitted establishment, and issuing the permit to a tobacco shop.

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Ordinance be RE-REFERRED AS AMENDED to the Land Use and Transportation Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendation of the Budget and Finance Committee

160152 **[Appropriation - Office of Small Business in the Mayor's Office of Economic and Workforce Development - $306,250 from the General Reserve - FY2015-2016]**
Sponsors: Campos; Peskin
Ordinance appropriating $343,359 from the General Reserve for grants and related administrative costs for the Legacy Business Registry and Historic Preservation Fund in the Office of Small Business in the Mayor's Office of Economic and Workforce Development in FY2015-2016. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener, seconded by Supervisor Cohen, moved to rescind the previous vote to allow additional discussion on the matter. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

141118 **[Building Code - Building Façade Inspection and Maintenance and Establishing Fee]**

Sponsors: Mayor; Farrell, Mar, Tang, Wiener, Breed and Yee

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160145 **[Airport Lease and Use Agreement Modification - Early Termination - US Airways, Inc.]**

Resolution approving Modification No. 1 to the 2011 Lease and Use Agreement L10-0276, granting the early termination of the Lease between US Airways, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

Resolution No. 131-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160146 **[2011 Lease and Use Agreement - Qantas Airways, Limited - Estimated Rent of $749,411.49]**

Resolution approving the terms of 2011 Lease and Use Agreement No. L15-0275 between Qantas Airways, Limited, and the City and County of San Francisco, acting by and through its Airport Commission, with an estimated rent of $749,411.49 for Exclusive Use Space plus, Joint-Use Space Rental and Landing Fees, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission)
(Fiscal Impact)

Resolution No. 132-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160216 **[Emergency Contract - Pilot Construction Management, Inc. - Superbay Hangar Emergency Fire Watch and Interim Foam Fire Suppression System Retrofit - Not to Exceed $4,366,164]**

Resolution approving an emergency public work contract between the Airport Commission and Pilot Construction Management, Inc. under Administrative Code, Section 6.60, for the Superbay Hangar Emergency Fire Watch and Interim Foam Fire Suppression System Retrofit Project in an amount not to exceed $4,366,164. (Airport Commission)
(Fiscal Impact)

Resolution No. 136-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160256 **[Accept Gift - Cisco, Inc. - Wi-Fi Equipment - $353,925]**

Sponsor: Mayor

Resolution retroactively authorizing the Department of Technology to accept a gift of equipment from Cisco, Inc., with a total value of $353,925 in order to provide free, wireless access to the Internet in San Francisco.

Resolution No. 139-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160323 **[Accept and Expend Gift - Envisions Solar International - Solar Powered Electric Vehicle Chargers - $139,650]**

Sponsors: Farrell; Mar

Resolution authorizing the San Francisco Department of the Environment to accept a gift from Envisions Solar International of three solar-powered electric vehicle chargers with a value of $139,650. (Environment)

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 142-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

President Breed requested File Nos. 160203 and 160287 be called together.

160203 **[Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual Report to the City - FY2014-2015]**

Sponsor: Peskin

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the Districts' Management Agreements with the City, Section 3.4.

Resolution No. 135-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160287 **[Ocean Avenue Community Benefit District - Annual Report to the City - FY2014-2015]**

Sponsor: Yee

Resolution receiving and approving an annual report for the Ocean Avenue Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 141-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

140886 **[Jerry Garcia Commemorative Plaques - Mission Street at Harrington and Amazon Streets]**

Sponsors: Avalos; Cohen, Mar, Campos and Farrell

Ordinance commemorating the Mission Street sidewalk in two locations near Harrington Street and near Amazon Street under Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance, in honor of the childhood homes of Jerry Garcia, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

Supervisors Mar and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160154 **[Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]**

Sponsors: Wiener; Breed

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Breed requested to be added as a co-sponsor.

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Line 22, by striking 'use' and adding 'function' after 'primary.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Line 21, by striking 'electronic data processing' and adding 'an Internet Services Exchange, as defined in Section 102 of the Planning Code,' after 'Group B occupancy where.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Public Safety and Neighborhood Services Committee

160022 **[Administrative Code - Due Process for All and Sanctuary]**

Sponsors: Avalos; Campos, Kim, Mar and Peskin

Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.

Supervisor Avalos, seconded by Supervisor Yee, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of May 10, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Supervisor Cohen, seconded by Supervisor Tang, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Ronnie Singh of the San Francisco District Attorney's Office in recognition of her many accomplishments and work in preventing human trafficking.

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Sgt. Tony Flores of the San Francisco Police Department in recognition of his many accomplishments and work in preventing human trafficking.

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to the San Francisco Court Appointed Special Advocate Program in recognition of their many accomplishments and continued community support in providing critical support services to the most vulnerable children in San Francisco.

COMMITTEE REPORTS

Recommendations of the Rules Committee

160304 **[Confirming Appointment, Police Commission - Suzy Loftus]**
Sponsors: Mayor; Campos
Motion confirming the Mayor's nomination, and appointing Suzy Loftus to the Police Commission for a four-year term ending April 30, 2020.
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 1, 2016)

Supervisor Campos requested to be added as a co-sponsor.

Motion No. M16-044

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160305 **[Confirming Appointment, Police Commission - Thomas Mazzucco]**
Sponsors: Mayor; Campos

Motion confirming the Mayor's nomination, and appointing Thomas Mazzucco to the Police Commission for a four-year term ending April 30, 2020.
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 1, 2016)

Supervisor Campos requested to be added as a co-sponsor.

Motion No. M16-045

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; shared various religious concerns.
Andrew Yip; shared his various experiences with the Board.
Female Speaker; expressed her support of Item No. 37 (File No. 160373) related to Asian Pacific American Heritage Month, Day of Commendation.
Male Speaker; spoke on various concerns related to equity.
John Finch; shared his concerns regarding the San Francisco Police Department's use of firearms.
Walter Paulson; shared in song various concerns with the Board.
Christopher Dahl; shared his concerns regarding climate and sea level change.
Leah LaCroix; expressed her support of Item No. 45 (File No. 160376) related to the Committee of the Whole Joint Meeting with the Youth Commission.
Male Speaker; expressed his support of Item No. 37 (File No. 160373) related to Asian Pacific American Heritage Month, Day of Commendation.
Ace Washington; shared his concerns regarding City programs.
Candy Meryl; shared her experiences living in an SRO within San Francisco.
Steven Calvin; requested the Board investigate violations at an SRO in San Francisco.
Jack Ribbon; shared his various concerns regarding housing conditions within San Francisco.
Mario Yedidia; shared concerns regarding residential SRO hotels being used for tourist hotel stock.
Rio Shar; shared concerns regarding residential SRO hotels being used for tourist hotel stock.
Kevin Stall; shared concerns regarding residential SRO hotels being used for tourist hotel stock.
Alicia; shared concerns regarding residential SRO hotels being used for tourist hotel stock.
Abraham Thompson; shared his concerns related to a marching band not being accepted for the Cherry Blossom Parade.
Jean Chou; shared her concerns related to a marching band not being accepted for the Cherry Blossom Parade.
Female Speaker; shared her concerns related to a marching band not being accepted for the Cherry Blossom Parade.
Wei Jiang; shared her concerns related to a marching band not being accepted for the Cherry Blossom Parade.
Male Speaker; shared his concerns related to a marching band not being accepted for the Cherry Blossom Parade.
Eleanor Courtney; shared concerns regarding residential SRO hotels being used for tourist hotel stock.
Tom Gilberty; shared his concerns regarding affordable housing that is inclusionary.
Otto Duffy; shared his concerns regarding the Primary Elections and residential SRO hotels.
Female Speaker; shared her concerns regarding low-income housing and smoke-free housing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160349 **[Committee of the Whole - Report of Assessment Costs for Blighted Properties]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 17, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Motion No. M16-046

APPROVED

160352 **[Final Map 7724 - 340 Fremont Street]**
Motion approving Final Map 7724, a 348 residential unit condominium project, located at 340 Fremont Street, being a subdivision of Assessor's Parcel Block No. 3748, Lot Nos. 006, 007, 008, 009, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-047

APPROVED

160353 **[Final Map 8008 - 1440-1450 Filbert Street]**
Motion approving Final Map 8008, a six residential unit Condominium Project, located at 1440-1450 Filbert Street, being a subdivision of Assessor's Parcel Block No. 0523, Lot No. 043, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-048

APPROVED

160354 **[Final Map 8285 - 399 Fremont Street]**
Motion approving Final Map 8285, a 447 residential unit and one commercial unit mixed-use condominium project, located at 399 Fremont Street, being a subdivision of Assessor's Parcel Block No. 3747, Lot No. 320, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-049

APPROVED

160355 **[Final Map 8339 - 158 Laidley Street]**
Motion approving Final Map 8339, a five residential unit condominium project, located at 158 Laidley Street, being a subdivision of Assessor's Parcel Block No. 6665, Lot No. 056, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-050

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File Nos. 160258 and 160372 be severed so that they may be considered separately.

160258 **[Supporting California State Senate Bill 1286 (Leno) - Increasing Law Enforcement Transparency]**

Sponsors: Cohen; Breed, Kim, Avalos, Peskin, Mar, Yee and Campos

Resolution supporting California State Senate Bill 1286, authored by Senator Mark Leno, improving government transparency and accountability by allowing the public to access information on police misconduct and use of force.

Supervisor Cohen, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 4, by striking 's' after 'Senator', and adding 'Holly Mitchell and John Moorlach' after 'Mark Leno'; and on Page 2, Line 1, by striking 'residents' and adding 'members of the public' after 'also gives', Lines 2 through 3, by adding 'while also providing protections for officers from frivolous and oppressive complaints from members of the public', and Lines 4 through 6, by striking 'WHEREAS, SB 1286 would allow local governments to determine whether public hearings and administrative appeals should be held on allegations of peace officer misconduct; and'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution supporting California State Senate Bill 1286, authored by Senators Mark Leno, Holly Mitchell and John Moorlach, improving government transparency and accountability by allowing the public to access information on police misconduct and use of force.

Supervisor Wiener, seconded by Supervisor Peskin, moved to waive Board Rule 2.10 (Committee Reference) requiring that this Resolution be referred to a committee for public hearing. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener requested that the question be DIVIDED to consider separately the Resolved clause on Page 2, Lines 12 through 14, that states 'RESOLVED, the San Francisco Board of Supervisors commends Senator Mark Leno for his leadership and efforts to create enhanced transparency into our law enforcement agencies; and, be it'.

Resolution No. 140-16

The divided question relating to the Resolved clause on Page 2, Lines 12 through 14, was NOT ADOPTED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener

Noes: 7 - Avalos, Campos, Cohen, Kim, Mar, Peskin, Yee

Failure of the divided question resulted in the striking of the Resolved clause on Page 2, Lines 12 through 14.

Supervisor Peskin, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 12, by striking 'FURTHER' before 'RESOLVED'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

The remaining balance of the Resolution was ADOPTED AS AMENDED AND DIVIDED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee

Noes: 3 - Farrell, Tang, Wiener

160372 **[Urging the California Attorney General to Investigate the Racist Text Messages and Practices of the San Francisco Police Department]**
Sponsors: Cohen; Kim, Yee, Mar and Campos
Resolution urging California Attorney General Kamala Harris initiate a civil-rights investigation, pursuant to California Civil Code, Section 52.3, into the San Francisco Police Department's racist text messages and practices.

Supervisors Mar and Campos requested to be added as co-sponsors.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 26, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Mar requested that File No. 160373 be severed so that it may be considered separately.

160373 **[Asian Pacific American Heritage Month, Day of Commendation - First Tuesday of May]**
Sponsors: Mar; Kim, Tang, Yee, Peskin, Breed, Cohen and Campos
Resolution declaring the first Tuesday of May each year as the Board of Supervisors' commendation date in celebration of Asian Pacific American Heritage Month, and in recognition of outstanding Asian Pacific Americans in each of the eleven Districts in the City and County of San Francisco.

Supervisors Peskin, Breed, Cohen, and Campos requested to be added as co-sponsors.

Resolution No. 143-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Tang requested that File Nos. 160374 amd 160375 be severed so that they may be considered separately.

160374 **[Commending the Golden State Warriors for a Historic and Record-Breaking Season]**

Sponsors: Tang; Farrell, Kim, Yee, Cohen, Breed and Campos

Resolution commending the Golden State Warriors for tying the record for most victories in a season with 72 wins during the 2015-2016 National Basketball Association season and wishing the team the best of luck in the postseason.

Supervisors Cohen, Breed, and Campos requested to be added as co-sponsors.

Supervisor Tang moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by updating the language to reflect the current breaking record of the Golden State Warriors. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Peskin, seconded by Supervisor Farrell, moved to rescind the previous votes because a second was not attained for the motion that the Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Tang, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by updating the language to reflect the current breaking record of the Golden State Warriors. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution commending the Golden State Warriors for breaking the record for most victories in a season with 73 wins during the 2015-2016 National Basketball Association season and wishing the team the best of luck in the postseason.

Resolution No. 144-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160375 **[Urging the Department of Human Resources to Analyze and Implement Strategies to Reduce Implicit Bias in Recruitment for Employment]**

Sponsors: Tang; Kim, Cohen, Farrell, Yee, Mar and Avalos

Resolution urging the Department of Human Resources (DHR) to analyze strategies and create a plan to reduce implicit bias in the hiring process for City and County of San Francisco employment, and further urging DHR to report its findings and plan to the Board of Supervisors by June 2016.

Supervisors Mar and Avalos requested to be added as co-sponsors.

Supervisor Tang, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by changing references to 'ethnic sounding names' to 'names associated with another ethnic community.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution No. 145-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Avalos requested that File No. 160376 be severed so that it may be considered separately.

160376 **[Committee of the Whole - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen and Seventeen-Year-Old Voting for Municipal Elections - May 3, 2016]**

Sponsor: Avalos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 3, 2016, at 5:00 p.m., in a joint meeting with the San Francisco Youth Commission, to hold a public hearing to consider the proposed Charter Amendment (File No. 150267) authorizing sixteen and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at the November 8, 2016, election.

Motion No. M16-051

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Noes: 1 - Cohen

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Farrell, seconded by Supervisor Wiener, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Wiener, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160380 **[Steve Gibson Day - April 21, 2016]**

Sponsor: Wiener

Resolution declaring April 21, 2016, to be Steve Gibson Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to Steve Gibson Day as referenced in File No. 160380. There were no speakers. The President declared public comment closed.

Resolution No. 146-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Charter Amendments

160381 **[Charter Amendment and Business and Tax Regulations Code - City Responsibility and Parcel Tax for Street Trees]**
Sponsor: Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees to the City and establish a special fund primarily to pay for such maintenance and the maintenance of trees on San Francisco Unified School District property; to amend the Business and Tax Regulations Code to add a special parcel tax primarily to fund the City's maintenance of street trees and the maintenance of trees on San Francisco Unified School District property; to increase the City's appropriations limit by the amount of the parcel tax for four years from November 8, 2016; and to affirm the Planning Department's determination under the California Environmental Quality Act.
04/19/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/19/2016.

Ordinances

160382 **[Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately $36,000,000]**
Sponsor: Mayor
Ordinance vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and a large truck access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.
04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

160383 **[Environment Code - Food Service and Packaging Waste Reduction]**
Sponsors: Breed; Peskin
Ordinance amending the Environment Code to prohibit the sale of food service ware and other specified products including packing materials that are made from polystyrene foam or that are non-recyclable and non-compostable; setting an operative date of January 1, 2017; and affirming the Planning Department's determination under the California Environmental Quality Act.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/19/2016.

160384 **[Transportation Code - Fiscal Feasibility Determination for Major Events]**
Sponsors: Kim, Peskin, Avalos and Mar
Ordinance amending the Transportation Code to prohibit the Interdepartmental Staff Committee on Traffic and Transportation from reviewing or approving a major event lasting five or more consecutive days and fully occupying two or more blocks, unless the Board of Supervisors has first determined that the event is fiscally feasible and responsible.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2016.

160385 **[Transportation Code - Fare Evasion and Passenger Conduct Regulations]**
Sponsors: Mar and Campos
Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

160386 **[Amending Ordinance No. 16-10 - Collection and Levy of Special Taxes - Tax District No. 2009-1 (San Francisco Sustainable Financing) - Accessibility Modifications and Improvements to Privately Owned Buildings or Real Property]**
Sponsor: Tang
Ordinance amending Ordinance No. 16-10, as amended, to authorize the collection and levy of Special Taxes within City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) for accessibility modifications and improvements to privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/19/2016.

Resolutions

160387 **[Resolution of Intent - Street Vacation - Portions of Jessie Street and Elim Alley - Oceanwide Project]**
Sponsor: Mayor
Resolution declaring the intention of the Board of Supervisors to order the vacation of a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street, subject to certain conditions; and setting a hearing date for all persons interested in the proposed vacation of said street areas.

04/19/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160388 **[Option Agreement - Sale of Transbay Block 4 - F4 Transbay Partners, LLC - $45,000,000]**
Sponsors: Mayor; Kim
Resolution approving an option agreement for the potential sale of Transbay Block 4 (the northern one-third of the block bounded by Beale, Howard, Main, and Folsom Streets) by the Successor Agency to the San Francisco Redevelopment Agency to F4 Transbay Partners, LLC, a Delaware limited liability company, for $45,000,000; and making findings under Health and Safety Code, Section 33433.

04/19/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160390 **[Public Works Week - April 25-29, 2016]**
Sponsors: Breed, Cohen, Avalos, Wiener, Farrell, Yee and Tang
Resolution commending the men and women of San Francisco Public Works and declaring April 25 through April 29, 2016, as Public Works Week in San Francisco.

04/19/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160391 **[Opposing California State Senate Bill 1102 (McGuire) - Short-Term Rentals and Collection of Transient Occupancy Taxes]**
Sponsors: Campos; Peskin and Mar
Resolution urging the California State Legislature to oppose State Senate Bill 1102 (McGuire), which could thwart San Francisco's and other local jurisdictions' ability to enforce regulation of short-term rentals and collect Transit Occupancy Taxes for short-term rental units in the City and County of San Francisco.

04/19/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160392 **[KFOG DJ Appreciation Day - April 20, 2016]**
Sponsor: Farrell
Resolution declaring April 20, 2016, KFOG DJ Appreciation Day in the City and County of San Francisco.

04/19/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

160393 **[Hearing - Ocean Beach Safety Monitoring]**
Sponsors: Mar; Tang
Hearing on improving the City's safety monitoring of Ocean Beach; and requesting the Fire Department, Police Department, National Park Services, Golden Gate National Recreation Area, and United States Coast Guard to report.

04/19/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160394 **[Hearing - Lien on Voice of Pentecost Church and Auction of El Rey Theatre]**
Sponsor: Yee
Hearing to discuss the City's actions regarding a lien placed on the Voice of Pentecost Church (A Place to Meet Jesus) and the auction of the El Rey Theatre (1970 Ocean Avenue); and requesting the Department of Real Estate, Treasure Island Development Authority, and Office of Economic and Workforce Development to report.

04/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160350 **[Hearing - Report of Assessment Costs for Blighted Properties]**
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/19/16; RECEIVED AND ASSIGNED to Board of Supervisors.

160395 **[Hearing - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen- and Seventeen-Year-Old Voting for Municipal Elections]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole in a joint meeting with the San Francisco Youth Commission on May 3, 2016, at 5:00 p.m., to consider the proposed Charter Amendment (File No. 150267, called from the Rules Committee pursuant to Motion No. M16-051) authorizing sixteen- and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at the November 8, 2016, election. (Clerk of the Board)

04/19/16; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

160346 **[Planning Code - Mid-Block Alley and Rooftop Screening and Enclosure Controls]**
Ordinance amending the Planning Code to allow for greater flexibility in the screening and enclosure of rooftop mechanical equipment, modify mid-block alley controls and their applicability to the South of Market Neighborhood Commercial Transit District, Folsom Street Neighborhood Commercial Transit District, Regional Commercial District and C-3 (Downtown Commercial) District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

04/07/16; RECEIVED FROM DEPARTMENT.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

160347 **[General Plan Amendment - Affordable Housing Bonus Programs]**
Sponsor: Mayor

Ordinance amending the General Plan to make conforming changes in association with legislation creating the Affordable Housing Bonus Program by amending the Housing Element, Urban Design Element, Van Ness Avenue Area Plan, Chinatown Area Plan, Downtown Area Plan, and Northeastern Waterfront Area Plan; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Planning Commission)

04/08/16; RECEIVED FROM DEPARTMENT.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

PROPOSED RESOLUTIONS

160348 **[Real Property Sale - Easement to JWG McHenry, LLC, and City of Modesto - Portion of San Francisco Public Utilities Commission Parcel 656, Modesto, Stanislaus County - $35,000]**

Resolution approving and authorizing the conveyance of one permanent easement to the City of Modesto, for $35,000 to be paid by JWG McHenry, LLC, a California limited liability company, to allow JWG McHenry, LLC, to widen a portion of McHenry Avenue, including installing street, curb, gutter, driveway, and sidewalk improvements within an approximately 3,627 square foot portion of property owned by the City under the jurisdiction of the San Francisco Public Utilities Commission, identified as SFPUC Parcel 656; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; adopting findings under Administrative Code, Section 23.3, that offering the easement for sale through competitive bidding would be impractical; and authorizing the Director of Property and/or the SFPUC General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

04/05/16; RECEIVED FROM DEPARTMENT.

04/19/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160351 **[Report of Assessment Costs for Blighted Properties]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

04/11/16; RECEIVED FROM DEPARTMENT.

04/19/16; RECEIVED AND ASSIGNED to Board of Supervisors.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:37 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 24, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 26, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
AUG - 1 2016
SAN FRANCISCO PUBLIC LIBRARY

LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 26, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:03 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of March 22, 2016. There were no corrections.

Supervisor Kim, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of March 22, 2016. The motion carried by the following vote, following general public comment:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

141118 **[Building Code - Building Façade Inspection and Maintenance and Establishing Fee]**

Sponsors: Mayor; Farrell, Mar, Tang, Wiener, Breed and Yee

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Ordinance No. 067-16

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

160128 **[Settlement of Lawsuits - California Department of Health Care Services - City to Receive $928,763.44]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against the California Department of Health Care Services, et al., for $928,763.44; the lawsuits were filed on July 24, 2007, and November 3, 2008, in San Francisco Superior Court, Case Nos. CPF-07-507445 and CPF-08-508951; both lawsuits are entitled City and County of San Francisco v. Sandra Shewry, Director of the Department of Health Care Services, State of California, et al.; to compel respondents to approve and pay Short Doyle Medi-Cal claims and implement an appeal procedure for denied claims. (City Attorney)

Ordinance No. 068-16

FINALLY PASSED

160130 **[Settlement of Lawsuit - Roque and Sonia Ballesteros - $79,000]**

Ordinance authorizing settlement of the lawsuit filed by Roque and Sonia Ballesteros against the City and County of San Francisco for $79,000; the lawsuit was filed on December 31, 2015, in San Francisco Superior Court, Case No. CGC 15-549684; entitled Roque Ballesteros, et al. v. City of San Francisco, et al. (City Attorney)

Ordinance No. 069-16

FINALLY PASSED

160241 **[Settlement of Lawsuit - Kuiana Taylor - $49,999]**
Ordinance authorizing settlement of the lawsuit filed by Kuiana Taylor against the City and County of San Francisco for $49,999; the lawsuit was filed on August 6, 2014, in United States District Court for the Northern District of California, Case No. 14-cv-03555 CRB; entitled Kuiana Taylor v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Ordinance No. 072-16

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

140886 **[Jerry Garcia Commemorative Plaques - Mission Street at Harrington and Amazon Streets]**
Sponsors: Avalos; Cohen, Mar, Campos and Farrell
Ordinance commemorating the Mission Street sidewalk in two locations near Harrington Street and near Amazon Street under Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance, in honor of the childhood homes of Jerry Garcia, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

Supervisor Farrell requested to be added as a co-sponsor.

Ordinance No. 066-16

FINALLY PASSED

Recommendations of the Rules Committee

160339 **[Appointment, Bicycle Advisory Committee - Mary Kay Chin]**
Motion appointing Mary Kay Chin, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M16-052

APPROVED

160341 **[Reappointment, Commission on Aging Advisory Council - Diane Lawrence]**
Motion reappointing Diane Lawrence, term ending March 31, 2018, to the Commission on Aging Advisory Council. (Rules Committee)

Motion No. M16-053

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

160150 **[Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One]**

Sponsors: Mayor; Kim

Ordinance approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, to increase the maximum height limit from 300 feet to 400 feet on Block 1 (Assessor's Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032) within Zone One of the Transbay Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 062-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Budget and Finance Committee

160152 **[Appropriation - Office of Small Business in the Mayor's Office of Economic and Workforce Development - $306,250 from the General Reserve - FY2015-2016]**

Sponsors: Campos; Peskin

Ordinance appropriating $306,250 from the General Reserve for grants and related administrative costs for the Legacy Business Registry and Historic Preservation Fund in the Office of Small Business in the Mayor's Office of Economic and Workforce Development in FY2015-2016. (Fiscal Impact)

Ordinance No. 070-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Referred Without Recommendation from the Budget and Finance Sub-Committee

160091 **[Industrial Lease Agreement - Tanforan Industrial Park, LLC - Bus Operator Training Courses - $2,480,304 Initial Annual Base Rent]**

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA) to execute an Industrial Lease Agreement with Tanforan Industrial Park, LLC, for approximately 7.3 acres of space located at 30 Tanforan Avenue, South San Francisco, to be used for SFMTA bus operator training courses for a nine year and five month term estimated to be from October 1, 2016, through February 28, 2026, with an initial annual base rent of $2,480,304 and annual 2% rent increases; the Lease includes a purchase option, right of first refusal, and an extension option. (Municipal Transportation Agency)
(Fiscal Impact)

Supervisor Yee, seconded by Supervisor Cohen, moved that this Resolution be RE-REFERRED to the Budget and Finance Sub-Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Land Use and Transportation Committee

160154 **[Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]**

Sponsors: Wiener; Breed and Farrell

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Farrell requested to be added as a co-sponsor.

Ordinance No. 071-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

151279 **[Administrative Code - Sanctions for Non-Willful Violations of County Adult Assistance Programs Rules, and Creating Rental Assistance Pilot Project]**
Sponsor: Farrell
Ordinance amending the Administrative Code to codify the process for imposing sanctions for non-willful failures to comply with County Adult Assistance Programs (CAAP) program requirements and establish a three-year rental assistance pilot project for CAAP participants who have been sanctioned as a result of non-willful failures to comply with program requirements.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160121 **[Changing Special Tax District - San Francisco Sustainable Financing - Accessibility Access Financing]**
Sponsor: Tang
Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to amend the authorized financing purposes to include accessibility access financing for persons with disabilities.

Resolution No. 147-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160218 **[Annual Fundraising Drive - 2016]**
Resolution designating those agencies qualified to participate in the 2016 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

Resolution No. 148-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160274 **[Real Property Lease - 1030 Polk Associates LP - Tenant Improvements - 2000 Oakdale Avenue - $150,000 Rent in the Base Year - $2,700,000 Estimated Tenant Improvements Cost]**
Resolution authorizing the Director of Property, on behalf of San Francisco Public Works, to execute a lease of 9,900 rentable square feet at 2000 Oakdale Avenue in San Francisco at a base-year rent expense to City of $150,000 for an initial term of ten years plus three five-year options to extend; and construction of tenant improvements costing the City an estimated $2,700,000. (Public Works)
(Fiscal Impact.)

Resolution No. 149-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160275 **[Contract Amendment - Alliant Insurance Services, Inc. - Insurance Broker and Risk Management Consulting Services - $59,848,705]**

Resolution authorizing the Director of Risk Management to enter into the Second Amendment of a contract with Alliant Insurance Services, Inc., for Insurance Broker and Risk Management Consulting Services, to increase the contract limit from $32,288,248 to $59,848,705 for the term of June 1, 2013, through July 30, 2018. (City Administrator)
(Fiscal Impact)

Resolution No. 150-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160276 **[Master Lease Amendment, Sublease Amendment - AMB Pier One LLC, Port - Pier 1]**

Resolution approving the Second Amendment to Lease No. L-12838 at Pier 1 with AMB Pier One LLC, a California limited liability company, including an option to extend for an additional fifteen-year term; and approving the First Amendment to the Port of San Francisco sublease at Pier 1; each as approved by the Port Commission. (Port)

Resolution No. 151-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160299 **[Contract Agreement - Skidata, Inc. - Replacement of Parking Access and Revenue Control Systems at 22 Off-Street Parking Facilities - Not to Exceed $19,848,007]**
Sponsor: Farrell

Resolution authorizing the Director of Transportation of the San Francisco Municipal Transportation Agency (SFMTA) to enter into a contract with Skidata, Inc., for the equipment, software, and professional services required to install and maintain a new parking access and revenue-control system at 22 off-street parking facilities, for a total not to exceed $19,848,007 and a term to commence following Board approval through June 30, 2029; and affirming the SFMTA determination under the California Environmental Quality Act. (Municipal Transportation Agency)
(Fiscal Impact)

Resolution No. 153-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160317 **[Public Utilities Commission - Issuance Wastewater Revenue Bonds - Not to Exceed $621,000,000]**

Resolution approving the issuance of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco in an aggregate principal amount not to exceed $621,000,000 to finance and refinance capital projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 154-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160322 **[Ground Lease Amendment - 1555 Turk Street - Laurel Gardens of Bethel A.M.E. Church, L.P. - Up to $950,000 per Year, Including Mandatory $15,000 per Year Base Rent]**

Sponsor: Breed

Resolution authorizing the execution and performance of an amendment to a Long-Term Ground Lease of 99 years in length between the City and County of San Francisco and Laurel Gardens of Bethel A.M.E. Church, L.P., a California limited partnership, for real property located at 1555 Turk Street, in connection with the refinancing and rehabilitation of 52 units of affordable housing for low and very low income individuals and families, for an annual rent amount of up to $950,000 per year, including a mandatory $15,000 per year base rent. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

Resolution No. 155-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160325 **[Multifamily Housing Revenue Bonds - 510 Folsom Street (also known as Transbay Block 9) - Not to Exceed $175,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of tax exempt residential rental housing bonds in an aggregate principal amount not to exceed $175,000,000 to finance costs of the construction of 311 rental housing units to be located on the first 21 floors of a 42 story mixed use building to be constructed at 510 Folsom Street (also known as Transbay Block 9), and related parking and other improvements (the "Project"); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the tax exempt residential rental housing bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of tax exempt residential rental housing bonds by the City in an aggregate principal amount not to exceed $175,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

Resolution No. 156-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

160104 **[Police Code - Entertainment Commission Permit Procedures]**
Sponsors: Wiener; Breed and Farrell

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria, replace a leafletting notice requirement to residents with a mailed notice requirement to neighborhood organizations for Place of Entertainment Permit applications in neighborhood-commercial or mixed residential districts, and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment and Limited Live Performance Permits.

Supervisor Farrell requested to be added as a co-sponsor.

Supervisor Wiener, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by striking 'for an event that receives City funding', and adding 'filed by an entity that has received City funds specifically for the event that is the subject of the permit application'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener requested File No. 160104 be DUPLICATED AS AMENDED.

See duplicated File No. 160421.

Supervisor Wiener, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by striking the proposed amendments to Section 1060.5(b) on Page 2, Line 17, through Page 4, Line 3, regarding noticing requirements for Place of Entertainment Permit applications in neighborhood-commercial or mixed residential districts. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment and Limited Live Performance Permits.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160421 **[Police Code - Entertainment Commission Permit Procedures]**
Sponsors: Wiener; Breed and Farrell

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria, replace a leafletting notice requirement to residents with a mailed notice requirement to neighborhood organizations for Place of Entertainment Permit applications in neighborhood-commercial or mixed residential districts, and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment and Limited Live Performance Permits.

Duplicated from File No. 160104.

Supervisor Wiener, seconded by Supervisor Peskin, moved that this Ordinance be REFERRED to the Land Use and Transportation Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160284 **[Bi-Annual Housing Balance Report - March 2016]**
Sponsor: Kim
Resolution receiving and approving the bi-annual Housing Balance Report dated March 31, 2016, submitted as required by Planning Code, Section 103.

Resolution No. 152-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Rules Committee

160338 **[Appointment, Shelter Monitoring Committee - Patrina Hall]**
Motion appointing Patrina Hall, term ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)

Motion No. M16-054

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Campos assumed the chair at 4:06 p.m. so the President could participate in the debate on File No. 160342 from the floor. The President resumed the chair at 4:10 p.m.

160342 **[Appointments, Citizen's Committee on Community Development - Peter Cohen and Miquel Penn]**
Motion appointing Megan Rohrer and reappointing Miquel Penn, terms ending February 23, 2018, to the Citizen's Committee on Community Development. (Rules Committee)
(Supervisor Mar dissented on the appointment of Megan Rohrer in Committee.)

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) and Nicole Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Peskin, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1, 3, and 10, by striking 'Megan Rohrer' and adding 'Peter Cohen.' The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Kim, Mar, Peskin, Yee
Noes: 5 - Breed, Cohen, Farrell, Tang, Wiener

Motion appointing Peter Cohen and reappointing Miquel Penn, terms ending February 23, 2018, to the Citizen's Committee on Community Development. (Rules Committee)

Although a motion and second was not required, Supervisor Breed, seconded by Supervisor Cohen, moved that the question for this Motion be DIVIDED AS AMENDED to consider each appointment separately. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Motion No. M16-056

The motion appointing Peter Cohen to the Citizen's Committee on Community Development was APPROVED AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Kim, Mar, Peskin, Yee

Noes: 5 - Breed, Cohen, Farrell, Tang, Wiener

Motion No. M16-056

The motion appointing Miquel Penn to the Citizen's Committee on Community Development was APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Upon approval of both divided questions, the Motion moved forward as a whole.

160343 **[Reappointments, In-Home Supportive Services Public Authority - Patricia Webb, Patricia Wooley, Rita Semel, Judith Karshmer, Tatiana Kostanian, and Melvin Beetle]**

Motion reappointing Patricia Webb, Patricia Wooley, Rita Semel, Judith Karshmer, Tatiana Kostanian, and Melvin Beetle, terms ending March 1, 2019, to the In-Home Supportive Services Public Authority. (Rules Committee)

Motion No. M16-055

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Supervisor Mar, seconded by Supervisor Peskin, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Carla Johnson in recognition of her retirement as the Executive Director of the Mayor's Office on Disability after X years with the City and County of San Francisco, and her many accomplishments implementing accessibility throughout San Francisco. Supervisors Tang, Kim, Campos, Peskin, Cohen, Breed, Avalos, and Naomi Kelly, City Administrator, shared in this commendation.

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Captain David Lazar, and Officers Troy Peele, Benjamin Santana, Vincent Pachetti, and Caitlin Lowe of the San Francisco Police Department, Central Station, in recognition of their heroic acts while responding to a daring burglary call and apprehending a suspect after a lengthy and eventful chase.

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Tina Moylan in recognition of her retirement as the Russian Hill Neighbors President and her many accomplishments and continued community support within the Russian Hill neighborhood and throughout San Francisco. Supervisor Farrell, Commander Ann Mannix, and Captain David Lazar (San Francisco Police Department) shared in this commendation. Supervisor Peskin and President Breed also acknowledged former California Senator and retired judge Quentin Kopp who was in attendance for this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Ann Meyer, for Earth Day, in recognition of her many accomplishments and work to protect the environment.

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

160253 **[Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**
Sponsor: Peskin
Ordinance exempting The Humidor, formerly located at 275 Battery Street, from four prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit for a location within 500 feet of another permitted establishment, issuing the permit in a Supervisorial District with 45 or more such permits, issuing the permit for a location not previously occupied by a permitted establishment, and issuing the permit to a tobacco shop.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160255 **[Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]**
Sponsors: Kim; Peskin, Yee and Mar
Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Yee
Noes: 2 - Farrell, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Francisco Da Costa; shared concerns regarding public comment and public participation in the legislative process.
Andrew Yip; shared his various experiences.
Walter Paulson; shared in song various concerns.
Male Speaker; shared various experiences regarding gender identity.
Roland; shared concerns regarding challenges the tax drivers are experiencing.
Tom Gilberty; shared his concerns regarding the San Francisco Police Department, taxes being collected for public services, and affordable housing.
Otto Duffy; shared his concerns regarding affordable housing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160372 **[Urging the California Attorney General to Investigate the Racist Text Messages and Practices of the San Francisco Police Department]**
Sponsors: Cohen; Kim, Yee, Mar and Campos
Resolution urging California Attorney General Kamala Harris initiate a civil-rights investigation, pursuant to California Civil Code, Section 52.3, into the San Francisco Police Department's racist text messages and practices.

Supervisor Cohen, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 3 through 9, by striking two WHEREAS clauses regarding the suggested patterns or practices of the Police Department, and the California Attorney General's authority, and adding two WHEREAS clauses regarding San Francisco's compliance with California Civil Code, and the Board of Supervisors request to for the California Attorney General to investigate; and adding other clarifying verbiage. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution No. 157-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160390 **[Public Works Week - April 25-29, 2016]**
Sponsors: Breed, Cohen, Avalos, Wiener, Farrell, Yee and Tang
Resolution commending the men and women of San Francisco Public Works and declaring April 25 through April 29, 2016, as Public Works Week in San Francisco.

Supervisor Tang requested to be added as a co-sponsor.

Resolution No. 158-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Farrell Excused from Voting

Supervisor Farrell requested to be excused from voting on File No. 160391, to avoid any hint of impropriety even though he has been advised there is no conflict of interest.

Supervisor Campos, seconded by Supervisor Cohen, moved that Supervisor Farrell be excused from voting on File No. 160391. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

160391 **[Opposing California State Senate Bill 1102 (McGuire) - Short-Term Rentals and Collection of Transient Occupancy Taxes]**
Sponsors: Campos; Peskin and Mar
Resolution urging the California State Legislature to oppose State Senate Bill 1102 (McGuire), which could thwart San Francisco's and other local jurisdictions' ability to enforce regulation of short-term rentals and collect Transit Occupancy Taxes for short-term rental units in the City and County of San Francisco.

Supervisor Mar requested to be added as a co-sponsor.

Supervisor Campos, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding additional WHEREAS clauses to further expound on the details of the Board's opposition and reasons, and by adding an additional RESOLVED clause directing the Clerk of the Board to transmit the legislation to State Senator McGuire. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

Resolution opposing California State Senate Bill 1102, authored by Senator McGuire, which would infringe upon the City's longstanding home rule powers, preclude the City from effectively enforcing the application of its transient occupancy tax to short-term residential rentals, and prevent the City from obtaining information from platforms that may allow the City to enforce its zoning, housing, building, and life safety laws.

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED AS AMENDED to the Board of Supervisors meeting of May 3, 2016. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

160392 **[KFOG DJ Appreciation Day - April 20, 2016]**
Sponsor: Farrell
Resolution declaring April 20, 2016, KFOG DJ Appreciation Day in the City and County of San Francisco.

Resolution No. 159-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

160361 **[Administrative Code - Appraisals for Jurisdictional Transfers and the Acquisition, Conveyance, and Lease of Real Property]**
Sponsors: Peskin; Campos
Ordinance amending the Administrative Code to require appraisals and appraisal reviews for certain City acquisitions, conveyances, and leases of real property; requiring that appraisals conform to the Uniform Standards of Professional Appraisal Practice and be prepared by qualified appraisers; and increasing the rent limits for the Director of Property's existing authority to enter into leases for the City.

04/12/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/12/2016.

04/18/16; REFERRED TO DEPARTMENT.

04/26/16; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

160422 **[Fire, Housing, Building Codes - Fire Safety Requirements for Existing Buildings]**
Sponsors: Campos; Kim, Yee, Tang, Breed and Wiener
Ordinance amending the Fire Code and the Housing Code to require building owners provide tenants with an annual written notice of smoke alarm requirements and require building owners file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of $50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing $50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

04/26/16; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/26/2016.

160423 **[Administrative Code - Short-Term Residential Rentals and Hosting Platforms]**
Sponsors: Campos; Peskin, Avalos and Mar
Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms verify that a Residential Unit is on the City Registry prior to listing; require Hosting Platforms respond to notices and requests for information; provide for civil, administrative, and criminal penalties against Hosting Platforms for violations of the Residential Unit Conversion Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

04/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/26/2016.

160424 **[Planning Code, Zoning Map - Sign Regulations]**
Sponsor: Peskin
Ordinance amending the Planning Code to correct and update provisions, delete obsolete or redundant sections, and reinstate the distinction between Historic and Vintage Signs; amending the Zoning Map to delete the Showplace Square Special Sign District, the South of Market General Advertising Special Sign District, and the Hamm's Building Historic Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

04/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/26/2016.

160425 **[Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States With Anti-LGBT Laws]**
Sponsors: Wiener; Campos and Farrell
Ordinance amending the Administrative Code to prohibit City-funded travel to states that have enacted laws after June 26, 2015, reversing anti-discrimination protections for LGBT individuals or permitting discrimination against LGBT individuals, and to prohibit City contracting with companies headquartered in states that have enacted such laws, or where work on the contract would be performed in such states.

04/26/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/26/2016.

160426 **[Planning Code, Zoning Map - Rezoning Midtown Terrace Neighborhood]**
Sponsor: Yee
Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot numbers in Assessor's Parcel Block Nos. 2643B, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2821, 2822, 2822A, 2822B, 2823, 2823A, 2823B, 2823C, 2824, 2825, 2833, 2834, 2835, 2836, from their current designation as Residential, House District: One-Family (RH-1) to Residential, House: One-Family (Detached Dwellings) (RH-1(D)); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/26/2016.

Resolutions

160427 **[Replacement Credit Facilities - Tax Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation - To Fund Board-Approved Capital Projects - Not to Exceed $250,000,000]**

Sponsor: Mayor

Resolution re-authorizing the issuance of Tax-Exempt (Series 1 and Series 2) and Taxable Lease Revenue Commercial Paper Certificates of Participation (Series 1-T and Series 2-T), in an aggregate principal amount not to exceed $250,000,000 to finance the acquisition, construction, and rehabilitation of capital improvements and capital equipment approved by the Board of Supervisors and the Mayor; authorizing the replacement of the existing credit facilities in the amount of $150,000,000; and approving and authorizing execution of a first supplement to trust agreement, a first amendment to site lease, a first amendment to sublease, revolving credit agreements, fee agreements, dealer agreements, and certain other related financing documents, and authorizing other related actions.
(Fiscal Impact)

04/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160428 **[Real Property Lease - Opera Plaza, L.P. - 601 Van Ness Avenue - $363,132 Rent in Initial Year]**

Sponsor: Breed

Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and Opera Plaza, L.P., as Landlord, of office space located at 601 Van Ness Avenue in San Francisco, consisting of approximately 8,646 rentable square feet, for an initial term of five years to commence following Board approval, for use by the Human Services Agency of San Francisco at $30,261 monthly rent, totaling $363,132 in the initial year, with annual 3% increases and one five-year option to extend the term; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

04/26/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160429 **[Urging Training and Promotion of the Right to Breastfeed in Public]**

Sponsors: Campos; Cohen, Mar, Avalos and Yee

Resolution urging the Human Services Agency and San Francisco Police Department to train city employees and contractors on the rights of women to breastfeed in public and urging any city department with a public waiting room to post a sign welcoming breastfeeding in public waiting areas.

04/26/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160430 **[Central Market Community Benefit District - Annual Reports to the City - Calendar Year 2014]**

Sponsor: Kim

Resolution receiving and approving annual reports for the Central Market Community Benefit District for calendar year 2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

04/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160431 **[Commemorative Street Name Designation - "Gene Compton's Cafeteria Way" - 100 Block of Taylor Street]**

Sponsors: Kim; Campos, Wiener and Peskin

Resolution approving the addition of the commemorative street name "Gene Compton's Cafeteria Way" to the 100 Block of Taylor Street in recognition of the Fiftieth Anniversary of the turning point for the civil rights movement for Gay, Lesbian, Bisexual, Transgender, Queer, Questioning, and Intersex people, and in specific the contributions of Transgender Women.

04/26/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160432 **[Approval of a 150-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)]**

Sponsors: Mayor; Farrell and Tang

Resolution extending by 150 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150911) amending the Planning Code to provide revised geographic, timing, pricing, and other requirements for the off-site alternative to the Inclusionary Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing Fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed "dialing up;" revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

04/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160433 **[Supporting American Federation of Teachers Local 2121 Faculty at City College of San Francisco]**

Sponsors: Campos; Kim, Mar, Yee and Avalos

Resolution supporting the American Federation of Teachers Local 2121's (AFT 2121) one day strike and urging the administration of City College of San Francisco to swiftly reach an agreement with AFT 2121 that recognizes the important labor City College faculty perform for the City of San Francisco.

04/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160434 **[Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Prohibiting Formula Retail in the Polk Street Neighborhood Commercial District (File No. 160102)]**

Sponsor: Peskin

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 160102) amending the Planning Code to prohibit formula retail in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160435 **[Urging San Francisco Businesses to Participate in SF Biz Connect]**
Sponsor: Tang
Resolution urging San Francisco businesses to participate in SF Biz Connect by shifting an additional 5% of their spending to small and local businesses in order to support our local economy.

04/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160438 **[Report of Delinquent Real Property Transfer Taxes]**
Sponsors: Tang; Peskin
Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street) and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

04/26/16; RECEIVED AND ASSIGNED to Board of Supervisors.

Motions

160436 **[Committee of the Whole - Report of Delinquent Real Property Transfer Taxes]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 24, 2016, at 3:00 p.m., to hold a public hearing on a Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street) and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Clerk of the Board)

04/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

160439 **[Hearing - Immigrant Janitor Service Industry Workers]**
Sponsor: Breed
Hearing on San Francisco's efforts to protect janitors, particularly immigrant women janitors, from physical and economic exploitation, sexual harassment, and displacement; and requesting the Office of Labor Standards and Enforcement, Office of Economic and Workforce Development, Commission on the Status of Women, Immigrant Rights Commission, and City Administrator to report.

04/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160440 **[Hearing - Construction Impacts at the Hunter's Point Shipyard]**
Sponsor: Cohen
Hearing on the anticipated construction on the Hunter's Point Shipyard and regulatory measures to mitigate construction impacts; and requesting the Department of Public Health, the Lennar Corporation, the Office of Community Investment and Infrastructure, and the Environmental Protection Agency to report.

04/26/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160441 **[Hearing - Marketing and Outreach Strategies for Affordable Housing Units]**
Sponsor: Cohen
Hearing on the strategies and programs being used to market affordable housing units to qualified San Francisco residents, including ensuring cultural competency and language access; and requesting the Mayor's Office of Housing to report.

04/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160442 **[Hearing - Below-Market-Rate Housing Policies and Procedures]**
Sponsors: Kim; Breed
Hearing on the Below-Market-Rate Housing policies and procedures utilized throughout the City and County of San Francisco; and requesting the Mayor's Office of Housing and Community Development to report.

04/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160443 **[Hearing - Role of the City's State Legislation Committee and the Advocacy Procedures and Protocols of the City Lobbyist]**
Sponsor: Peskin
Hearing on the procedural mechanics and process undertaken by the City's State Legislation Committee and City Lobbyist when lobbying on behalf of the City and transmitting the City's official policy positions to external bodies and agencies; and requesting the City Attorney, the City Lobbyist, and the Mayor's Legislative Liaison to report.

04/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTION

160379 **[Settlement of Unlitigated Claim - RBS Securities, Inc. - $67,807.47]**
Resolution approving the settlement of the unlitigated claim filed by RBS Securities, Inc., against the City and County of San Francisco for $67,807.47; the claim involves a payroll expense tax refund; claim was filed on May 29, 2015. (City Attorney)

04/12/16; RECEIVED FROM DEPARTMENT.

04/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

In Memoriams

Asuncion Salva - Supervisor Kim
Lily Yee - Supervisor Peskin
Blanche Dilworth - Supervisor Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:31 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 7, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 3, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 3, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:01 p.m. On the call of the roll, Supervisors Mar and Yee were noted not present. There was a quorum.

Supervisor Yee was noted present at 2:02 p.m.

COMMUNICATIONS

There were no communications.

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

151279 **[Administrative Code - Sanctions for Non-Willful Violations of County Adult Assistance Programs Rules, and Creating Rental Assistance Pilot Project]**
Sponsor: Farrell
Ordinance amending the Administrative Code to codify the process for imposing sanctions for non-willful failures to comply with County Adult Assistance Programs (CAAP) program requirements and establish a three-year rental assistance pilot project for CAAP participants who have been sanctioned as a result of non-willful failures to comply with program requirements.

Ordinance No. 074-16

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

160242 **[Settlement of Lawsuit - Lisa Owen - $2,250,000]**
Ordinance authorizing settlement of the lawsuit filed by Lisa Owen against the City and County of San Francisco for $2,250,000; the lawsuit was filed on July 8, 2014, in San Francisco Superior Court, Case No. CGC-14-540434; entitled Lisa Owen v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury. (City Attorney)

PASSED, ON FIRST READING

160243 **[Settlement of Lawsuit - Ying Zhang and Chen Li - $175,000]**
Ordinance authorizing settlement of the lawsuit filed by Ying Zhang and Chen Li against the City and County of San Francisco for $175,000; the lawsuit was filed on January 21, 2014, in San Francisco Superior Court, Case No. CGC-14-536903 (consolidated with CGC-13-536533); entitled Ying Zhang, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury; other materials terms of said settlement are that the Municipal Transportation Agency is to also pay $175,000, subject to approval by the Municipal Transportation Agency Board. (City Attorney)

PASSED, ON FIRST READING

160244 **[Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - $175,000]**
Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan against the City and County of San Francisco for $175,000; the lawsuit was filed on December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533 (consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing death; other material terms of said settlement are that the Municipal Transportation Agency is to also pay $175,000, subject to approval by the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay $50,000 (insurance coverage limits). (City Attorney)

PASSED, ON FIRST READING

160306 **[Settlement of Unlitigated Claim - Asiana Airlines - City to Receive $3,450,000]**
Ordinance authorizing settlement of an unlitigated claim by the City and County of San Francisco against Asiana Airlines for a payment of $3,450,000 by Asiana Airlines to the City, appropriating funds from the settlement to the City Attorney's Office to pay the City's attorneys' fees and legal expenses, and allocating funds from the settlement to the Airport to pay the Airport's costs; other material terms of the settlement include payment by Asiana Airlines to the City's aviation insurer, the City's acceptance of the site cleanup performed by contractors to Asiana Airlines and approved by the San Francisco Bay Regional Water Quality Control Board, the City's agreement not to originate a lawsuit against the aircraft manufacturer, and mutual release of claims arising out of the July 6, 2013 crash of Asiana Airlines Flight 214; the City made its claim on July 16, 2013. (City Attorney)

PASSED, ON FIRST READING

160307 **[Settlement of Lawsuit - Fernando Guanill - $150,000]**
Ordinance authorizing settlement of the lawsuit filed by Fernando Guanill against the City and County of San Francisco for $150,000; the lawsuit was filed on October 14, 2015, in the United States District Court for the Northern District of California, Case No. 15-cv-04745 LB; entitled Fernando Guanill v. Michael Robert Lewelling, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

PASSED, ON FIRST READING

160308 **[Settlement of Lawsuit - J.C.R., a Minor, By and Through His Guardian Ad Litem, Guillerma Bojorquez - $50,000]**
Ordinance authorizing settlement of the lawsuit filed by J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez, against the City and County of San Francisco for $50,000; the lawsuit was filed on August 28, 2014, in the United States District Court for the Northern District of California, Case No. 3: 14-cv-3918 NC; entitled J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez v. The City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

160309 **[Settlement of Lawsuit - Fireman's Fund Insurance Company - $125,000]**
Ordinance authorizing settlement of the lawsuit filed by Fireman's Fund Insurance Company against the City and County of San Francisco for $125,000; the lawsuit was filed on July 17, 2014, in San Francisco Superior Court, Case No. CGC-14-540616; entitled Fireman's Fund Insurance Company vs. Alliance of Event Planners and Vendors, Inc., et al.; the lawsuit involves an insurance dispute. (City Attorney)

PASSED, ON FIRST READING

160316 **[Settlement of Unlitigated Claim - 700 Cabrillo Street HOA - $35,000]**
Resolution approving the settlement of the unlitigated claim filed by the 700 Cabrillo Street HOA against the City and County of San Francisco for $35,000; the claim was filed on October 8, 2015; the claim involves alleged property damage arising from a sewage flood. (City Attorney)

Resolution No. 162-16

ADOPTED

Recommendation of the Land Use and Transportation Committee

160253 **[Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**
Sponsor: Peskin
Ordinance exempting The Humidor, formerly located at 275 Battery Street, from four prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit for a location within 500 feet of another permitted establishment, issuing the permit in a Supervisorial District with 45 or more such permits, issuing the permit for a location not previously occupied by a permitted establishment, and issuing the permit to a tobacco shop.

Ordinance No. 073-16

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

160104 **[Police Code - Entertainment Commission Permit Procedures]**
Sponsors: Wiener; Breed and Farrell

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment and Limited Live Performance Permits.

Ordinance No. 075-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Mar was noted present at 2:05 p.m.

160255 **[Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]**
Sponsors: Kim; Peskin, Yee and Mar

Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 076-16

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Yee
Noes: 2 - Farrell, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 160357, 160363, and 160364 be called together.

160357 **[Appropriation - Proceeds from Short-Term Certificates of Participation - Transbay Transit Center Project - $260,000,000 - FY2015-2016]**
Sponsors: Mayor; Kim, Wiener and Campos
Ordinance appropriating $260,000,000 of proceeds from short-term certificates of participation to general City responsibility for interim financing related to the Transbay Transit Center Project in FY2015-2016.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Peskin

160363 **[Annexation of Property to City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]**
Sponsors: Mayor; Kim, Wiener and Campos
Resolution determining that certain property in the future annexation area, namely Assessor's Parcel Block No. 3721, Lot No. 019, Block No. 3721, Lot No. 020, and Block No. 3721, Lot No. 029, is Annexed to the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Resolution No. 165-16

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Peskin

160364 **[Certificates of Participation - Interim Financing for Phase 1 of the Transbay Transit Center Project - Not to Exceed $260,000,000]**
Sponsors: Mayor; Kim, Wiener and Campos
Resolution approving and authorizing the execution and delivery of Tax Exempt and/or Taxable Lease Revenue Commercial Paper Certificates of Participation and Tax Exempt and/or Taxable Direct Placement Revolving Certificates of Participation in a combined aggregate principal of amount not to exceed $260,000,000 to provide interim financing for Phase 1 of the Transbay Transit Center Project; approving and authorizing execution of one or more trust agreements, site leases, subleases, a leaseback, one or more letters of credit and reimbursement agreements and/or lines of credit, and one or more certificate purchase agreements and related documents; and Declaring the Official Intent of the City to reimburse itself from proceeds of Tax-Exempt Obligations in accordance with the Internal Revenue Code of 1986, as amended; and making certain public benefit findings for the Transbay Transit Center Project under California Government Code, Section 6586.5.
(Fiscal Impact.)

Resolution No. 166-16

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Peskin

Recommendations of the Budget and Finance Sub-Committee

160101 **[Business and Tax Regulations Code - Parking Tax Exemption for Certain Parking Events on School District Property]**
Sponsors: Mar; Farrell
Ordinance amending the Business and Tax Regulations Code to exempt, from the parking tax and certain other requirements, a limited number of special parking events operated by volunteer-led non-profit organizations on School District property for the benefit of San Francisco public schools and earning less than $10,000 per event from rent; establishing Special School Parking Event Permits issued by the Tax Collector; and establishing a sunset date.

Supervisor Farrell requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160207 **[Administrative Code - Local Business Enterprise Bid Discounts]**
Ordinance amending the Administrative Code to allow the San Francisco Public Utilities Commission (SFPUC) Local Business Enterprises to receive Bid Discounts on eligible SFPUC Regional Project contracts, with certain restrictions. (Public Utilities Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160285 **[Ground Lease - Mercy Housing California 64, LP - 255 Fremont Street / 222 Beale Street - Transbay Block 7 Housing - $15,000 per Year]**
Sponsor: Kim
Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a ground lease at 255 Fremont Street / 222 Beale Street, with Mercy Housing California 64, LP, a California limited partnership, for $15,000 per year for a term of 75 years for the purpose of developing housing for very low and low-income households at Transbay Block 7.
(Fiscal Impact.)

Resolution No. 160-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160302 **[Contract Approval - Univar USA, Inc. - Purchase of Sodium Hypochlorite - Estimated Not to Exceed $24,000,000]**
Resolution approving the contract between the City and County of San Francisco and Univar USA, Inc., pursuant to Charter, Section 9.118(b), for purchase of sodium hypochlorite with an initial amount not to exceed $14,500,000 for a term of June 1, 2016, through May 31, 2019; with two options to extend the agreement for up to one year each with a total amount not to exceed $24,000,000 for the term ending March 31, 2021. (Office of Contract Administration)
(Fiscal Impact.)

Resolution No. 161-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Breed requested File Nos. 160328, 160330, 160365, 160366, 160367, and 160368 be called together.

160328 **[Accept and Expend Grant - California Department of Public Health - Hepatitis C Virus Testing and Linkages to Care Demonstration Projects - $456,000]**
Sponsor: Wiener
Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $456,000 from the California Department of Public Health to participate in a program entitled Hepatitis C Virus Testing and Linkages to Care Demonstration Projects for the period of March 1, 2016, through June 30, 2016. (Public Health Department)

Resolution No. 163-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160330 **[Accept and Expend Gift - Estate of Norma Parenti - Laguna Honda Hospital and Rehabilitation Center Gift Fund - $26,673.29]**

Sponsors: Yee; Breed

Resolution retroactively authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept and expend a gift of $26,673.29 from the Estate of Norma Parenti to the Laguna Honda Hospital and Rehabilitation Center Gift Fund for the period of April 1, 2016, through March 31, 2026. (Public Health Department)

Supervisor Breed requested to be added as a co-sponsor.

Resolution No. 164-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160365 **[Apply for, Accept, and Expend Grant - Community Development Block Grant Program - $19,163,346 - FY2016-2017]**

Sponsor: Mayor

Resolution approving the FY2016-2017 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $16,485,875, and to expend program income and reprogrammed funds in the amount of $2,677,471, for a period beginning July 1, 2016, through the date when all funds are expended. (Mayor's Office of Housing and Community Development)

Resolution No. 167-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160366 **[Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - $9,213,182 - FY2016-2017]**

Sponsor: Mayor

Resolution approving the FY2016-2017 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $7,089,501 and to expend program income and reprogrammed funds in the amount of $2,123,681 for a combined total of $9,213,182 for the period of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development)

Resolution No. 168-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160367 **[Apply for, Accept, and Expend Grant - HOME Program - $4,236,238 - FY2016-2017]**
Sponsor: Mayor
Resolution approving the FY2016-2017 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $4,136,238 and to expend program income in the amount of $100,000 for a combined total of $4,236,238 for the term of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development)

Resolution No. 169-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160368 **[Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - $1,484,425 - FY2016-2017]**
Sponsor: Mayor
Resolution approving the FY2016-2017 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of $1,484,425 for an unspecified period starting July 1, 2016. (Mayor's Office of Housing and Community Development)

Resolution No. 175-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160370 **[Multifamily Housing Revenue Bonds - Transbay Block 7 Affordable Housing - Not to Exceed $35,000,000]**
Sponsor: Kim
Resolution authorizing the issuance, sale, and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $35,000,000 for the purpose of providing financing for the construction of a 120-unit multifamily rental housing project known as Transbay Block 7 Affordable Housing; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

Resolution No. 170-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

President Breed requested File Nos. 150672 and 160313 be called together.

150672 **[Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2015]**
Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2015 calendar year. (Sheriff)

Supervisor Avalos, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 17, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160313 **[Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2016]**
Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2016 calendar year. (Sheriff)

Supervisor Avalos, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 17, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Land Use and Transportation Committee

151211 **[Planning Code - Landmark Designation - 90-92 Second Street (aka the Bourdette Building)]**
Sponsors: Kim; Peskin
Ordinance designating 90-92 Second Street (aka the Bourdette Building), Assessor's Block No. 3707, Lot No. 012, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Supervisor Wiener, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener introduced and presented a posthumous Certificate of Honor for Jon Paul "JD" Leddy in recognition of his many accomplishments as a champion for the LGBT community and support to the San Francisco community.

President Breed recessed the meeting at 3:11 p.m. and reconvened the meeting at 5:08 p.m.

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Approval to convene (Pursuant to Motion No. M16-051 (File No. 160376) approved on April 19, 2016.)

160395 **[Hearing - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen- and Seventeen-Year-Old Voting for Municipal Elections]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole in a joint meeting with the San Francisco Youth Commission on May 3, 2016, at 5:00 p.m., to consider the proposed Charter Amendment (File No. 150267, called from the Rules Committee pursuant to Motion No. M16-051) authorizing sixteen- and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at the November 8, 2016, election. (Clerk of the Board)

BOARD OF SUPERVISORS
Present: Supervisors Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

YOUTH COMMISSION
Present: Commissioners Avalos, Bernick, Calderon, David, Galeano, He, Juarez, Kong, Li, Mao, Mansori, Marshall-Fricker, Matz, Pating, Plunkett, Soto, Wu

President Breed opened the joint meeting with the San Francisco Youth Commission, related to the consideration of the proposed Charter Amendment as referenced in File No. 150267, at 5:08 p.m. On the call of the roll of the Board, Supervisor Kim was noted not present; there was a quorum of the Board of Supervisors. On the call of the roll of the Commission, all Commissioners were noted present; there was a quorum of the San Francisco Youth Commission. Supervisor Avalos and Chair Avalos provided opening remarks.

Supervisor Kim was noted present at 5:10 p.m.

Jeff Adachi, Public Defender, expressed support of the proposed amendment. Jillian Wu (Youth Commission) presented an overview of the proposed amendment. Sandra Lee Fewer and Matt Haney (Board of Education), John Arntz, Director (Department of Elections), and Jon Givner (Office of the City Attorney) responded to questions raised throughout the discussion and further discussed the amendments. President Breed inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments. Chanun Ong; Pet; Lyndsey Schlax; Oliver York; Polina Florova; Tammy Zu; Neo Guerrero; Jessica Eng; Tsia Blacksner; Female Speaker; Montana Haley; Mark Halwean; Carshell Green; Marianna Baines; Miranda Sarcosa; Sammi Mei; Nicholas Persky; Will Feisferky; Laura Copado; Kathy Cornier; Mary Abler; Tenghni Dereck Tan; June Herrera; Julie Wong; Shara Orquiza; Lorelei Vaisse; Joshua Park; David Moore; Andre; Antoine Kerfesky; Jack Alan; Female Speaker; Liam Thirtyacre; Silvia Johnson; Tad Brockner; Walter Wong; Arianna Wu; Iris Morrell; Gilliam Berkowitz; Tammy Lucas; Carina Leung; Faith Leung; Christina Williams; Crystal; Reuben; Elena Hillard; Female Speaker; Deja Slade; Seri Montano; Peter Granbury; Rafael Quinteiro; Celi Tamayo-Lee; John Calderon; Jimmy Zhang; Stanton Li; Aleya; Lonrezo Tobayali; Otto Duffy; Paulina; Ted Rustom; Female Speaker. Peter Warfield; expressed concerns relating to the hearing matter. There were no other speakers.

The Youth Commission took a symbolic vote to urge the Board of Supervisors to support. Commissioner David, seconded by Commissioner Bernick, moved to urge the Board of Supervisors to support the proposed Charter Amendment related to File No. 150267. The motion carried by the following vote:

Ayes: 16 - Commissioners Avalos, Bernick, Calderon, David, Galeano, He, Juarez, Kong, Li, Mao, Manson, Matz, Pating, Plunkett, Soto, Wu

Noes: 1 - Commissioner Marshall-Fricker

The President declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors at 8:25 p.m.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Avalos assumed the chair at 6:25 p.m. The President resumed the chair at 6:53 p.m.

At the request of President Breed, Supervisor Avalos assumed the chair at 8:05 p.m. The President resumed the chair at 8:14 p.m.

Committee of the Whole Adjourn and Report

Called from the Rules Committee

150267 **[Charter Amendment - Sixteen and Seventeen-Year-Old Voting for Municipal Elections]**

Sponsors: Avalos; Campos, Kim, Mar, Wiener and Yee

Charter Amendment (Second Draft) to amend the Charter to authorize 16- and 17-year-olds to vote in municipal elections, at an election to be held on November 8, 2016.

Supervisors Wiener and Yee requested to be added as a co-sponsor.

Privilege of the floor was granted unanimously to Adele Carpenter, Director (Youth Commission) who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Cohen, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of May 10, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Breed recessed the meeting at 8:30 p.m. and reconvened the meeting at 8:35 p.m.

COMMITTEE REPORTS

160320 **[Landmark Tree Designation - Norfolk Island/Cook Pine Hybrid Located at 46A Cook Street]**
Sponsor: Farrell
Ordinance designating the Norfolk Island/Cook Pine hybrid (Araucaria heterophylla x A. columnaris) tree at 46A Cook Street (Assessor's Parcel Block No. 1067, Lot No. 032) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Christopher Dahl; shared concerns regarding rising sea levels and climate change.
Mary Eliza; shared her concerns regarding the situation on Mission Street and its effect on the businesses in the area.
Flora Qu; shared concerns regarding Falun Gong not being allowed to participate in certain parades.
Female Speaker; shared concerns regarding the Municipal Transportation Agency, the situation on Mission Street, and its effect on the businesses in the area.
Female Speaker; shared concerns regarding Falun Gong not being allowed to participate in certain parades.

Public Comment was interrupted when the President recessed the meeting at 3:11 p.m. and it was later continued at 7:41 p.m. Upon continuation and before the Committee of the Whole joint session with the Youth Commission adjourned, the Youth Commission's public comment period (Item No. 2 on the Youth Commission Agenda for the joint meeting) was also taken.

There were no additional speakers.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160432 **[Approval of a 150-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)]**

Sponsors: Mayor; Farrell and Tang

Resolution extending by 150 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150911) amending the Planning Code to provide revised geographic, timing, pricing, and other requirements for the off-site alternative to the Inclusionary Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing Fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed "dialing up;" revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

Resolution No. 172-16

ADOPTED

160434 **[Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Prohibiting Formula Retail in the Polk Street Neighborhood Commercial District (File No. 160102)]**

Sponsor: Peskin

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 160102) amending the Planning Code to prohibit formula retail in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 174-16

ADOPTED

160436 **[Committee of the Whole - Report of Delinquent Real Property Transfer Taxes]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 24, 2016, at 3:00 p.m., to hold a public hearing on a Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street) and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Clerk of the Board)

Motion No. M16-057

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File Nos. 160391 and 160433 be severed so that they may be considered separately.

Supervisor Farrell Excused from Voting

Supervisor Farrell requested to be excused from voting on File No. 160391, to avoid any hint of impropriety even though he has been advised there is no conflict of interest.

Supervisor Mar, seconded by Supervisor Campos, moved that Supervisor Farrell be excused from voting on File No. 160391. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

160391 **[Opposing California State Senate Bill 1102 (McGuire) - Short-Term Rentals and Collection of Transient Occupancy Taxes]**

Sponsors: Campos; Peskin and Mar

Resolution opposing California State Senate Bill 1102, authored by Senator McGuire, which would infringe upon the City's longstanding home rule powers, preclude the City from effectively enforcing the application of its transient occupancy tax to short-term residential rentals, and prevent the City from obtaining information from platforms that may allow the City to enforce its zoning, housing, building, and life safety laws.

Supervisor Peskin, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 14, by adding 'not' after 'the City does'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 7, by adding '; and directing San Francisco to engage with Senator McGuire to seek amendments that preserve San Francisco's local control.'; and on Page 2, Line 24, by adding 'FURTHER RESOLVED, That the San Francisco Board of Supervisors directs City staff and representatives to engage with the author of the bill to seek amendments that preserve San Francisco's local control; and, be it'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

Resolution opposing California State Senate Bill 1102, authored by Senator McGuire, which would infringe upon the City's longstanding home rule powers, preclude the City from effectively enforcing the application of its transient occupancy tax to short-term residential rentals, and prevent the City from obtaining information from platforms that may allow the City to enforce its zoning, housing, building, and life safety laws; and directing San Francisco to engage with Senator McGuire to seek amendments that preserve San Francisco's local control.

Resolution No. 171-16

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Farrell

160433 **[Supporting American Federation of Teachers Local 2121 Faculty at City College of San Francisco]**

Sponsors: Campos; Kim, Mar, Yee and Avalos

Resolution supporting the American Federation of Teachers Local 2121's (AFT 2121) one day strike and urging the administration of City College of San Francisco to swiftly reach an agreement with AFT 2121 that recognizes the important labor City College faculty perform for the City of San Francisco.

Supervisor Farrell, seconded by Supervisor Tang, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 11-12, by striking 'one day strike', Lines 19-20, by striking 'is now sitting on monies amounting to nearly 30 percent of the City College budget needed to', Line 20, by adding 'should prioritize', by striking 'rebuild', by adding 'over cutting courses', by striking 'and', and adding 'to', Lines 24-25, by striking 'WHEREAS, City College is unnecessarily cutting courses that would create additional revenue for the College if allowed on the schedule;'; and on Page 2, Line 4, by striking 'the unfair' and adding 'certain', and Lines 6-7' by striking 'in its one day strike'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution No. 173-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

150682 **[Administrative Code - Telematic Vehicle Tracking Systems for City Vehicles]**
Sponsors: Yee; Kim and Mar
Ordinance amending the Administrative Code to require the installation and use of telematic vehicle tracking systems in all motor vehicles owned or leased by the City, other than vehicles used for law enforcement, and submission of an annual report by the City Administrator on vehicle use based on data derived from those systems; and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact.)

06/23/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/23/2015.

06/29/15; REFERRED TO DEPARTMENT.

06/30/15; RESPONSE RECEIVED.

07/14/15; RESPONSE RECEIVED.

08/31/15; RESPONSE RECEIVED.

11/19/15; RESPONSE RECEIVED.

01/25/16; TRANSFERRED to Government Audit and Oversight Committee.

05/03/16; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

160358 **[Appropriation and De-Appropriation - Surplus Revenue and Expenditures - Supporting Increased Overtime Expenditures - $24,682,824 - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating $4,112,120 surplus revenues, de-appropriating $20,570,704 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating $24,682,824 to overtime in the Sheriff's Department, Department of Emergency Management, Fire Department, Public Health Department, Public Utilities Commission, and the Police Department operating budgets in order to support the Departments' projected increases in overtime as required per Ordinance No. 194-11 in FY2015-2016; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Fire Department overtime appropriations, pursuant to Charter, Section 9.113(c).
(Fiscal Impact)

04/12/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/12/2016.

05/03/16; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

160382 **[Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately $36,000,000]**
Sponsors: Mayor; Kim

Ordinance amending the Administrative Code to establish the Downtown Neighborhoods Preservation Fund; vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area for $22,619,000 plus an additional payment to the aforementioned Fund of approximately $13,000,000 for a total of approximately $36,000,000; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; waiving approximately $27,000,000 of affordable housing fees under Planning Code, Sections 413 et seq. and 415 et seq., and requiring Oceanwide Center, LLC, as part of the agreement for the sale of real estate, to pay the equivalent fee amount to the aforementioned Fund; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and commercial vehicle access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this ordinance are consistent with the General Plan, and the eight priority policies of Planning Code. Section 101.1; making findings of public necessity, convenience, and general welfare under Planning Code, Section 302; and authorizing actions in furtherance of this Ordinance, as defined herein.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

04/26/16; REFERRED TO DEPARTMENT.

04/28/16; RESPONSE RECEIVED.

04/29/16; RESPONSE RECEIVED.

05/03/16; RESPONSE RECEIVED.

05/03/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160462 **[Proposed Budget and Appropriation Ordinance for Selected Departments, as of May 2, 2016, for FYs 2016-2017 and 2017-2018]**
Sponsor: Mayor

Proposed Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the Airport Commission, Board of Appeals, Department of Building Inspection, Child Support Services, County Education Office, Department of the Environment, Law Library, Municipal Transportation Agency, Port, Public Library, San Francisco Public Utilities Commission, the Residential Rent Stabilization and Arbitration Board, and Retirement System as of May 2, 2016, for FYs 2016-2017 and 2017-2018.
(Fiscal Impact.)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160463 **[Proposed Annual Salary Ordinance for Selected Departments, as of May 2, 2016, for FYs 2016-2017 and 2017-2018]**

Sponsor: Mayor

Proposed Annual Salary Ordinance enumerating positions in the Proposed Budget and Appropriation Ordinance for the Airport Commission, Board of Appeals, Department of Building Inspection, Child Support Services, Department of the Environment, Law Library, Municipal Transportation Agency, Port, Public Library, San Francisco Public Utilities Commission, the Residential Rent Stabilization and Arbitration Board, and Retirement System as of May 2, 2016, for FYs 2016-2017 and 2017-2018.

(Fiscal Impact.)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160464 **[Appropriation - Municipal Transportation Agency Revenue Bond Proceeds - Transportation Capital Projects and Equipment - $207,000,000 - FY2016-2017]**

Sponsor: Mayor

Ordinance appropriating $207,000,000 of Revenue Bond proceeds to the Municipal Transportation Agency for transportation projects and equipment in FY2016-2017.

(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160466 **[Appropriation - Mission Bay Improvement Fund - Warrior Arena Improvement Capital Projects - $5,980,000 - FYs 2016-2017 and 2017-2018]**

Sponsor: Mayor

Ordinance appropriating $5,980,000 to the Municipal Transportation Agency (MTA), consisting of $3,050,000 General Fund Contribution and $350,000 of MTA's operating fund in FY2016-2017, and $2,310,000 General Fund Contribution and $270,000 of MTA's operating fund in FY2017-2018 to support planning, design, and outreach for the transportation capital improvement projects in connection with the proposed Golden State Warriors Event Center and Mixed Use Development in Mission Bay.

(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160467 **[De-Appropriation and Re-Appropriation - General Reserve to Debt Service - $7,566,391 - FY2015-2016]**

Sponsor: Mayor

Ordinance de-appropriating $7,566,391 surplus revenue designated for General Reserve from the Public Library and re-appropriating as debt service payment in FY2015-2016.

(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160468 **[Appropriation - Proceeds from Revenue Bonds, State Loan or Grant Funds, Water Revenues and Water Capacity Fees of $272,233,620 - Re-Appropriation of $83,750,500 for Water Capital Improvements - FYs 2016-2017 and 2017-2018]**
Sponsor: Mayor
Ordinance appropriating a total of $272,233,620 of proceeds from Revenue Bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), water revenues and water capacity fees for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2016-2017 at $149,910,090 and for FY2017-2018 at $122,323,530; and re-appropriating Water Capital Project Appropriations of $56,750,500 in FY2016-2017 and $27,0000,000 in FY2017-2018; and placing $220,762,620 of Revenue Bond and State Loan Funds or State Grant Funds proceeds and $5,300,000 of water capacity fee proceeds by project on Controller's reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) Findings for projects, following review and consideration of completed project related environmental analysis, where required.
(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160469 **[Appropriation - Revenue Bonds, State Loans or Grants, Wastewater Revenues and Capacity Fees of $1,215,201,280 - Re-Appropriation of $7,000,000, and De-Appropriation of $10,750,000 - Wastewater Capital Improvements - FYs 2016-2017 and 2017-2018]**
Sponsor: Mayor
Ordinance appropriating a total of $1,215,201,280 of proceeds from revenue bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), wastewater revenue and capacity fees for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2016-2017 at $312,852,320 and for FY2017-2018 at $902,348,960; re-appropriation of $7,000,000 and de-appropriation of $10,750,000 Wastewater Revenue Bond projects in FY2016-2017; and placing $1,112,601,280 in Revenue Bonds or State Loan or Grant Funds and $14,600,000 in capacity fees by project on Controller's reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning, and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) Findings for projects, following review and consideration of completed project related environmental analysis, where required.
(Fiscal Impact)

05/03/16; ASSIGNED to Budget and Finance Committee.

160470 **[Appropriation - Revenue Bonds, Hetch Hetchy Revenue, Cap, and Trade Allowance of $158,125,530 - Re-Appropriation of $11,332,750, and De-Appropriation of $4,222,602 - Hetch Hetchy Water and Power Capital Improvements - FYs 2016-2017 and 2017-2018]**

Sponsor: Mayor

Ordinance appropriating a total of $158,125,530 of Hetch Hetchy revenue, Cap and Trade Revenue and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Capital Improvement Program for FY2016-2017 at $65,025,314 and for FY2017-2018 at $93,100,216; and re-appropriation of $11,332,750 in Power Revenue Bonds fund projects in FY2016-2017; de-appropriation of $4,222,602 CEC loan and revenue funded projects; and placing $32,483,088 of Power Bonds, $44,234,848 of Water Bonds, and $4,200,000 of Cap and Trade Revenue, by project on Controller's reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) Findings for projects, following review and consideration of completed project related environmental analysis, where required.

(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160471 **[Public Utilities Commission - Issuance Wastewater Revenue Bonds - Not to Exceed $1,112,601,280]**

Sponsor: Mayor

Ordinance authorizing the issuance and sale of tax-exempt or taxable Wastewater Revenue Bonds and other forms of indebtedness by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed $1,112,601,280 to finance the costs of various capital wastewater projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Wastewater Revenue Refunding Bonds; declaring the Official Intent of the Commission to Reimburse Itself with one or more issues of tax-exempt or taxable bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160472 **[Public Utilities Commission - Issuance Water Revenue Bonds - Not to Exceed $264,997,468]**

Sponsor: Mayor

Ordinance authorizing the issuance and sale of tax-exempt or taxable Water Revenue Bonds and other forms of indebtedness by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed $264,997,468 to finance the costs of various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Water Revenue Refunding Bonds; declaring the Official Intent of the Commission to Reimburse Itself with one or more issues of tax-exempt or taxable bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160473 **[Public Utilities Commission - Issuance Power Revenue Bonds - Not to Exceed $32,483,088]**

Sponsor: Mayor

Ordinance authorizing the issuance and sale of tax-exempt or taxable Power Revenue Bonds and other forms of indebtedness by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed $32,483,088 to finance the costs of various capital projects benefitting the Power Enterprise pursuant to Charter, Sections 9.107(6) and 9.107(8); authorization to issue Refunding Power Revenue Bonds; declaring the official intent of the Commission to reimburse itself with one or more issues of tax-exempt or taxable bonds; and ratifying previous actions taken in connection therewith, as defined herein.
(Fiscal Impact.)

05/03/16; ASSIGNED to Budget and Finance Committee.

160477 **[Planning Code - Wireless Telecommunications Services Facilities]**

Sponsor: Avalos

Ordinance amending the Planning Code to 1) define Wireless Telecommunications Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among other things, require a conditional use authorization (CU) for Macro WTS Facilities in most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4) require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications equipment accessory uses from height limitations; 7) allow screening elements for WTS Facilities to exceed height limits, consistent with existing height limit exemptions for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic Preservation Commission to delegate determinations on applications for Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning Department staff; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/03/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/2/2016.

160478 **[Campaign and Governmental Conduct Code - Requiring Commissioners to File Behested Payment Reports]**

Sponsor: Peskin

Ordinance amending the Campaign and Governmental Conduct Code to require members of City boards and commissions to file behested payment reports regarding the solicitation of charitable contributions.

05/03/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/2/2016.

Resolutions

160465 **[Revenue Bonds - Municipal Transportation Agency - Not to Exceed $207,000,000]**
Sponsor: Mayor

Resolution authorizing the sale, issuance, and execution of one or more series of San Francisco Municipal Transportation Agency Revenue Bonds, in an amount not to exceed $207,000,000, which includes up to $45,000,000 for the Mission Bay Component; and up to $162,000,000 for other projects, such as the light rail vehicle procurement, the Van Ness Transit Improvement Project, and for various financing costs; approving the form of certain financing documents including the official statement, the bond purchase contract, the fourth supplement to indenture of trust, and continuing disclosure certificate; authorizing the taking of appropriate actions in connection therewith, as defined herein; and related matters approving the forms of documents relating thereto; approving the maximum interest thereon; and finding that a portion of the proposed revenue bond issuance is not a project under the California Environmental Quality Act ("CEQA"), and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, for the remaining portion of the proposed bond issuance; and related matters.
(Fiscal Impact.)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160474 **[Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]**
Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services: information booths, security, parking operations, and shuttle bus (Airport); citations processing, towing, paratransit, parking meter, security, and transit shelter (Municipal Transportation Agency); security and janitorial (Port); and security (Public Utilities Commission).

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160479 **[Multifamily Housing Revenue Bonds - 171 Loehr Street and 1250 Sunnydale Avenue ("Britton Court") - Not to Exceed $76,000,000]**
Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $76,000,000 for 171 Loehr Street and 1250 Sunnydale Avenue; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160480 **[Real Property Lease - 200 Paul, LLC - 200 Paul Ave - $809,010 Rent in Initial Year]**
Sponsor: Cohen
Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and 200 Paul, LLC, a Delaware limited liability company as Landlord, of office production and warehouse space located at 200 Paul Avenue, consisting of approximately 53,934 square feet of building and approximately 24,000 square feet of yard for a ten-year term of January 1, 2017, through December 31, 2026, for use by the Department of Technology's Public Safety Division at $67,417.50 monthly, for $809,010 rent in the initial year with annual 3% increases and one five-year option to extend; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact; No Budget and Legislative Analyst Report)
05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160481 **[Preservation of Affordable Housing Units - South Beach Marina, Inc. - South Beach Marina Apartments - 2 Townsend Street - Not to Exceed $59,300,000]**
Sponsor: Kim
Resolution approving an agreement with South Beach Marina, Inc., to preserve 101 affordable housing units at South Beach Marina Apartments in an amount not to exceed $60,000,000 and authorizing the Director of the Mayor's Office of Housing and Community Development to execute the Agreement on behalf of the City and County of San Francisco to prevent the displacement of existing low- and moderate-income households residing at the South Beach Marina Apartments, and creating permanent affordability restrictions for all units to remain affordable to households earning up to 120% of Area Median Income. (Mayor's Office of Housing and Community Development)
05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160482 **[Multifamily Housing Revenue Bonds - Goodwill - 1500-1580 Mission Street and 77 South Van Ness Avenue - Not to Exceed $475,000,000]**
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $475,000,000 to finance a project at 1500-1580 Mission Street and 77 South Van Ness Avenue; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the tax exempt residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $475,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)
05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160483 **[Multifamily Housing Revenue Bonds - Mission Bay South Block East - 1150-3 Street - Not to Exceed $90,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $90,000,000 for 1150-3 Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160484 **[Multifamily Housing Revenue Bonds - Dorothy Day Community - 54 McAllister Street - Not to Exceed $111,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $111,000,000 for 54 McAllister Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160485 **[Multifamily Housing Revenue Bonds - Knox SRO - 241-6 Street - Not to Exceed $20,007,442]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,007,442 for 241-6 Street, also known as the Knox SRO; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160486 **[Development of a Transportation Sales Tax Expenditure Plan]**

Sponsors: Wiener; Avalos, Mar and Campos

Resolution urging the San Francisco County Transportation Authority, in partnership with the Mayor's Office and the San Francisco Municipal Transportation Agency, to develop a San Francisco Transportation Expenditure Plan to specify the use of revenues from a potential new half-cent sales tax for transportation for potential consideration for the November 2016 ballot.

05/03/16; RECEIVED AND ASSIGNED to Rules Committee.

160487 **[Paratransit Broker and Operating Agreement - Transdev Services, Inc. - Not to Exceed $142,902,104]**

Sponsor: Yee

Resolution approving Contract No. SFMTA-2016-17, Paratransit Broker and Operating Agreement, with Transdev Services, Inc., to provide paratransit brokerage and transportation services, in an amount not to exceed $142,902,104 for a five-year term beginning July 1, 2016, with an option for a five-year extension. (Municipal Transportation Agency)
(Fiscal Impact)

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160488 **[Urging Adequate State-wide Funding for Dependency Counsel]**

Sponsors: Cohen; Kim, Peskin, Campos, Mar and Tang

Resolution urging the California State Legislature, the Judicial Council, and Governor Jerry Brown to adequately fund dependency counsel in the State of California, a statutory obligation of the State, to address a state-wide crisis in funding deleteriously affecting our most vulnerable families in San Francisco and the State of California, particularly families that are poor and families of color.

05/03/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160489 **[Urging and Supporting All Efforts to Increase State Supplementary Program Payments to Meet or Exceed the Federal Poverty Level Appropriation]**
Sponsors: Mar; Avalos and Yee
Resolution urging and supporting all efforts by the State Legislature and Governor to increase State Supplementary Program payments to meet or exceed the federal poverty level for elderly, blind or disabled individuals.

05/03/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160458 **[Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 21, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director, pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

05/03/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

160461 **[Hearing - Mayor's Proposed Budget for Selected Departments - FYs 2016-2017 and 2017-2018]**
Sponsor: Mayor
Hearing to consider the Mayor's May proposed budget for the Airport Commission, Board of Appeals, Department of Building Inspection, Child Support Services, County Education Office, Department of the Environment, Law Library, Municipal Transportation Agency, Port, Public Library, San Francisco Public Utilities Commission, the Residential Rent Stabilization and Arbitration Board, and Retirement System for FYs 2016-2017 and 2017-2018.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160490 **[Hearing - Implementation of Legacy Business Registry and Historic Preservation Grant]**
Sponsors: Campos; Peskin
Hearing on the implementation of the Legacy Business Registry and Historic Preservation Grant; and requesting the Mayor's Legislative Liaison Nicole Elliott, Acting Budget Director Melissa Whitehouse, Office of Economic and Workforce Development Director Todd Rufo, and Office of Small Business Executive Director Regina Dick-Endrizzi to report.

05/03/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160491 **[Hearing - Federal Emergency Management Agency's Preliminary Flood Insurance Rate Map]**
Sponsor: Cohen
Hearing on the Federal Emergency Management Agency's ("FEMA") preliminary flood insurance rate map, and to solicit input from stakeholders; and requesting FEMA to report.

05/03/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160492 **[Hearing - Impacts of the Medical Marijuana Regulation and Safety Act]**
Sponsor: Wiener
Hearing on how San Francisco's medical cannabis regulations are impacted by the newly adopted state Medical Marijuana Regulation and Safety Act, and any policy changes San Francisco needs to make to ensure the continued existence of a well-regulated medical cannabis industry; and requesting the Department of Public Health, the Planning Department, and the Department of Building Inspection to report.

05/03/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160437 **[Hearing - Report of Delinquent Real Property Transfer Taxes]**
Hearing to consider objections to a report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street), and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund, scheduled pursuant to Motion No. M16-057, approved May 3, 2016. (Clerk of the Board)

05/03/16; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

160408 **[Intergovernmental Agreement - San Mateo County - Reimburse Dispatched Calls - Not to Exceed $1,000,000 - Share Transient Occupancy Tax]**
Resolution approving an Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed $1,000,000 for the period of July 1, 2015, through June 30, 2020; and to share the Transient Occupancy Tax relating to the Airport's Hotel. (Airport Commission)
(Fiscal Impact; No Budget and Legislative Analyst Report)

04/21/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160409 **[Real Property Lease - BC Capp, LLC - 165 Capp Street - $240,500 Annual Base Rent]**

Resolution authorizing the lease of approximately 6,500 square feet at 165 Capp Street with BC Capp, LLC, a California limited liability company, for a five year term commencing upon approval by the Board of Supervisors and the Mayor, with two options to extend for five years, at the monthly base rent of $20,041.67 for a total annual base rent of $240,500. (Human Services Agency)

(Fiscal Impact; No Budget and Legislative Analyst Report)

04/22/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160410 **[Agreement Amendment - San Francisco AIDS Foundation - Housing and Urban Health Program Services - Not to Exceed $39,938,517]**

Resolution approving a first amendment to the agreement between the Department of Public Health and the San Francisco AIDS Foundation to provide Housing and Urban Health Program Services, to extend the contract by five years, from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2021, with a corresponding increase of $20,252,607 from $19,685,910; for a total amount not to exceed $39,938,517. (Public Health Department)

(Fiscal Impact; No Budget and Legislative Analyst Report)

04/22/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160411 **[Accept and Expend Gift - San Francisco General Hospital Foundation - $2,625,000]**

Resolution authorizing the Department of Public Health to accept and expend a $2,625,000 gift from the San Francisco General Hospital Foundation for the procurement of furniture, fixtures, equipment, and information technology for the Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center. (Public Health Department)

04/22/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160412 **[Contract Amendment - Xtech JV - Technology Marketplace Tier 1A - $56,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the second amendment to the contract agreement between the City and County of San Francisco and Xtech JV, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from $32,000,000 to $56,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)

(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160413 **[Contract Amendment - ComputerLand of Silicon Valley - Technology Marketplace, Tier 1A - $44,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the second amendment to the contract agreement between the City and County of San Francisco and ComputerLand of Silicon Valley, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from $32,000,000 to $44,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160414 **[Contract Amendment - InterVision Systems Technologies, Inc. - Technology Marketplace, Tier 1B - $15,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the first amendment to the contract agreement between the City and County of San Francisco and InterVision Systems Technologies, Inc., a Technology Marketplace, Tier 1B Specialist contractor, to increase the contract limit from $12,000,000 to $15,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160415 **[Contract Amendment - En Pointe Technologies Sales, Inc. - Technology Marketplace, Tier 1A - $50,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the second amendment to the contract agreement between the City and County of San Francisco and En Pointe Technologies Sales, Inc., a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from $31,000,000 to $50,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160416 **[Contract Agreement - Cornerstone Technology Partners II JV - Technology Marketplace, Tier 1B - Not to Exceed $12,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and Cornerstone Technology Partners II JV, a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed $12,000,000 for an initial three year term to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160417 **[Contract Agreement - Learn iT!, Inc.- Technology Marketplace, Tier 1B - Not to Exceed $12,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and Learn iT!, Inc., a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed $12,000,000 for an initial three year term, to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160418 **[Contract Agreement - Softnet Solutions Inc.- Technology Marketplace Tier 1B - Not to Exceed $12,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and Softnet Solutions Inc., a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed $12,000,000 for an initial three year term to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160419 **[Contract Agreement - United Layer - Technology Marketplace Tier 1B - Not to Exceed $12,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and United Layer, Inc., a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed $12,000,000 for an initial three year term to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)
(Fiscal Impact)

04/25/16; RECEIVED FROM DEPARTMENT.

05/03/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

Eileen Hansen - Entire Board
Sergio Klor de Alva - Supervisor Wiener
Jon Paul "JD" Leddy - Entire Board
Aurora Grajeda - Supervisor Campos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:43 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 7, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 10, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 10, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:04 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of April 5, 2016, or the Special Meeting Minutes at the Budget and Finance Committee Meeting of April 6, 2016. There were no corrections.

Supervisor Mar, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of April 5, 2016, and the Special Meeting Minutes at the Budget and Finance Committee Meeting of April 6, 2016. The motion carried by the following vote, following general public comment:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

AGENDA CHANGES

There were no agenda changes.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

President Breed recessed the meeting at 2:20 p.m. and reconvened the meeting at 2:23 p.m.

160493 **[Formal Policy Discussions - May 10, 2016]**

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from the Supervisor representing District 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor: On May 1st, after many years of struggle and delay, we finally launched CleanPowerSF. But, in order to achieve our long-term goal of creating green jobs by building out renewable energy facilities, we need to quickly expand our customer base. Have you signed up for CleanPowerSF's SuperGreen option? If not, will you pledge to sign up? Will you work with me to expand our publicity campaign for CleanPowerSF? Can you use your extensive connections to San Francisco's business community to help promote CleanPowerSF? (Supervisor Avalos, District 11)

Mayor Edwin Lee provided opening remarks to the Board of Supervisors regarding the newly announced $17.5 million police reform package to fund comprehensive police reforms to increase public safety and build greater trust between police officers and the community.

President Breed requested that the Board of Supervisors consider prioritizing questions from the eligible odd District Supervisors, prior to hearing the original question submitted by the District 11 Supervisor, in light of the presence of sudden or unexpected incidents raising formal or time-sensitive policy questions. The request was granted without objection.

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) to provide the four-step criteria test to allow eligible Supervisors to pose questions that could not have been anticipated prior to the deadline for appearance on the agenda, which include: 1) the question was posed after the 12:00 noon deadline on Wednesday, May 4, 2016; 2) there was a sudden or unexpected incident raising formal or time-sensitive policy questions; 3) members could not have anticipated the question prior to the deadline; and 4) the question cannot be adequately addressed at the next scheduled question time.

Supervisor Breed, seconded by Supervisor Campos, moved that a supermajority of the Board allow the eligible Board Member from District 5 to ask a question that was not posed by the deadline, due to the numerous arrests and thousands of dollars in damage as a result of a large group from protestors who gathered at City Hall. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee

Noes: 3 - Farrell, Tang, Wiener

Mr. Mayor: On Friday, following the publication of today's agenda, a large group of protestors gathered at City Hall, resulting in numerous arrests and thousands of dollars of damage. This raises formal, time-sensitive policy questions. It was the latest in a series of unrest following racist and homophobic text scandals among SFPD officers, very controversial officer involved shootings, and multiple investigations into the department. The community is in pain. Protestors are demanding the removal of Chief Suhr, and I know you have said you will not do so. I respect that. But my question is: given that impasse, that disagreement, where does this end? Where do you see this situation heading? And how do we reconcile; how do we bring the City together and ensure everyone feels safe in their community? (Supervisor Breed, District 5)

Mayor Lee addressed the Board of Supervisors and discussed the above referenced question from the District 5 Supervisor.

Supervisor Mar, seconded by Supervisor Campos, moved that a supermajority of the Board allow the eligible Board Member from District 1 to ask a question that was not posed by the deadline, due to sudden and unexpected incidents related to the deep-seated bigotry within the Policy Department. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee

Noes: 3 - Farrell, Tang, Wiener

Mr. Mayor: I'm really appreciative of the progress you've cited, the reforms, and the additional funding. We also received a list from the President of the Police Commission, Suzy Loftus, on a number of the items happening, but I'll just be frank and say respectfully this is not enough. I want to also state you've also talked about breakdown in trust between law enforcement and communities and it's not something that's happened overnight, its generations and decades. I have a question that's related to the Racial Justice Committee of the San Francisco Public Defenders Office. I was with our Public Defender, Jeff Adachi, along with Hillary Ronen, from Supervisor Campos' Office, and Danny Glover yesterday at San Francisco State University, as the Third World Liberation Front 2016, who also has a hunger strike going on, united in solidarity with the Frisco Five and the thousands of people that have been making demands of our City government and the Board of Supervisors and your office. I want to say that their demands to the Board of Supervisors and you are that we take action to address the ongoing and unresolved issues of racial bias and other types of bigotry by sworn officers of the San Francisco Police Department. I won't talk about the Blue Ribbon Panel because I know other colleagues will, but I will say that Tim Redmond from 48 Hills to Jonah Owen Lamb of the San Francisco Examiner have raised many of these issues as well before us, but the Public Defenders Office highlights the pattern and practice of City government tolerating racial misconduct while making public proclamations to the contrary and they reveal through the text messaging and others, there is a whole list that the Public Defenders Office gives us, including the December 2015 cell phone videos that show 26-year old Mario Woods surrounded by Police Department Officers and shot dead in a volley of gunfire by five separate Police Officers for not responding to their command to drop a knife he held in his hand. They also go on to site the killing of Latino immigrant Luis Gongora, a homeless man, who also in an encampment by Officers. The Public Defenders Office talks about dehumanization, the define it in a letter very, very carefully and academically, talking about Police Officers and the dehumanization of people not only based on race or socioeconomic status, but also immigration status, gender and other factors, as well. Lastly, they go on to say that there is much more that could be done, but Co-Chairs Demariss R. Evans and Rebecca S. Young of the Racial Justice Committee, along with a bunch of members of the Public Defenders Office, including Mark Jacobs, Kwixuan Maloof, Francisco Ugarte, Rebecca Marcus, and many others go on to make demands of the Board of Supervisors and our City government: 1) will we create an independent office of citizens' complaints with funding that is completely independent of the Police Department and the Police Commission funding and is a separate line item in the City's budget; 2) they demand that the Police Commission create a separate division of Internal Affairs devoted exclusively to addressing and rooting out bigotry, as well as institutional racism within the Police Department; and 3) that we make a formal request to the United States Department of Justice, Civil Rights Division, calling for an investigation into the Police Department for violations of the civil rights of African-Americans and Latino-Americans. These above demands are based on the history of corruption and scandal within and by the Police Department, which have established a pervasive pattern of civil rights abuse and violation based on race. They appreciate our time and attention, they ask if we would support these demands. I support these demands, will you? (Supervisor Mar, District 1)

Mayor Lee addressed the Board of Supervisors and discussed the above referenced question from the District 1 Supervisor.

Supervisor Campos, seconded by Supervisor Avalos, moved that a supermajority of the Board allow the eligible Board Member from District 9 to ask a question that was not posed by the deadline, due to yesterday's release of the findings by the Blue Ribbon Panel on Transparency, Accountability, and Fairness. The motion FAILED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Kim, Mar, Peskin, Yee

Noes: 4 - Cohen, Farrell, Tang, Wiener

Supervisor Yee, seconded by Supervisor Kim, moved that a supermajority of the Board allow the eligible Board Member from District 7 to ask a question that was not posed by the deadline, due to the Mayor's newly announced $17.5 million reform package to fund comprehensive police reforms and violence prevention. The motion FAILED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Kim, Mar, Peskin, Yee

Noes: 4 - Cohen, Farrell, Tang, Wiener

Supervisor Peskin, seconded by Supervisor Mar, moved that a supermajority of the Board allow the eligible Board Member from District 3 to ask a question that was not posed by the deadline, due to the unexpected circumstances that arose last Friday and also manifested in the suspension of the hunger strike. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee

Noes: 3 - Farrell, Tang, Wiener

Mr. Mayor: I've spoken with our Public Defender, Jeff Adachi, as well our former Mayor Willie Brown, and they are very concerned with the current state of the escalating protests in San Francisco, and the rapidly deteriorating trust between communities of color and our SFPD, as well as the public safety issues these have posed. Both have indicated that they are willing and able to act as intermediaries and help broker a greater peace on behalf of the City. Are you willing and open to this prospect and will you reach out to take them up on their offer to assist in brokering reforms that will make our city a safer and more peaceable place?" (Supervisor Peskin, District 3)

Mayor Lee addressed the Board of Supervisors and discussed the above referenced question from the District 3 Supervisor.

Supervisor Campos, seconded by Supervisor Cohen, moved to rescind the previous vote moved by Supervisor Campos and rejected by the Board, relating to the District 9 question he requested to ask the Mayor. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Campos, seconded by Supervisor Cohen, moved that a supermajority of the Board allow the eligible Board Member from District 9 to ask a question that was not posed by the deadline, due to yesterday's release of the findings by the Blue Ribbon Panel on Transparency, Accountability, and Fairness. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee

Noes: 3 - Farrell, Tang, Wiener

Mr. Mayor: The Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement released its preliminary findings yesterday, and it has brought to light a disturbing lack of oversight and accountability over the San Francisco Police Department, particularly with rogue officers. The findings, written by 3 prestigious judges and seven law firms, was released yesterday in the Examiner after the publication of today's agenda.

At the same time, we have seen a number of officer-involved shootings. Not one of those shootings has led to the termination of an officer. And there was a 100 percent increase in the number of fatal officer involved shootings in 2015.

We just learned from the District Attorney today that he wants to establish a "special unit to investigate all officer involved shootings." This unit would be walled off from the regular work of the District Attorney's Office and would be housed outside of the Hall of Justice to maintain independence. The unit, comprised of 16 staff, including lawyers, investigators, and paralegals would investigate and decide whether to prosecute all officer involved shootings in San Francisco. The DA has requested a budget of $1.9 million to establish the unit.

Will you commit to funding this unit in your budget? (Supervisor Campos, District 9)

Mayor Lee addressed the Board of Supervisors and discussed the above referenced question from the District 9 Supervisor.

Supervisor Avalos, seconded by Supervisor Campos, moved that a supermajority of the Board allow the eligible Board Member from District 11 to ask a question that was not posed by the deadline, due to unexpected incidents that resulted in City Hall being occupied last week, the continued Police presence in and around City Hall since last week, and the need to deescalate the situation. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Yee

Noes: 3 - Farrell, Tang, Wiener

Mr. Mayor: Given the recent calls for greater accountability of the San Francisco Police Department, I would like to ask the following:

Today, you announced that $17.5 million will be invested in "comprehensive police reforms and violence prevention." This is a significant figure. How will there be a transparent, thoughtful process in how this funding is distributed? How will there be public oversight so that the chickens can guard the foxholes? Furthermore, there has been a lack of trust in how the SF Police Department collects and shares data. With this additional funding, how will you address these concerns? Will there be an independent, neutral auditing process? (Supervisor Avalos, District 11)

Mayor Lee addressed the Board of Supervisors and discussed the above referenced question from the District 11 Supervisor.

Mayor Lee further addressed the Board and discussed the original question submitted by the District 11 Supervisor. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

160101 **[Business and Tax Regulations Code - Parking Tax Exemption for Certain Parking Events on School District Property]**
Sponsors: Mar; Farrell
Ordinance amending the Business and Tax Regulations Code to exempt, from the parking tax and certain other requirements, a limited number of special parking events operated by volunteer-led non-profit organizations on School District property for the benefit of San Francisco public schools and earning less than $10,000 per event from rent; establishing Special School Parking Event Permits issued by the Tax Collector; and establishing a sunset date.

Ordinance No. 078-16

FINALLY PASSED

160207 **[Administrative Code - Local Business Enterprise Bid Discounts]**
Ordinance amending the Administrative Code to allow the San Francisco Public Utilities Commission (SFPUC) Local Business Enterprises to receive Bid Discounts on eligible SFPUC Regional Project contracts, with certain restrictions. (Public Utilities Commission)

Ordinance No. 079-16

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee

151211 **[Planning Code - Landmark Designation - 90-92 Second Street (aka the Bourdette Building)]**
Sponsors: Kim; Peskin
Ordinance designating 90-92 Second Street (aka the Bourdette Building), Assessor's Block No. 3707, Lot No. 012, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 077-16

FINALLY PASSED

160320 **[Landmark Tree Designation - Norfolk Island/Cook Pine Hybrid Located at 46A Cook Street]**
Sponsor: Farrell
Ordinance designating the Norfolk Island/Cook Pine hybrid (Araucaria heterophylla x A. columnaris) tree at 46A Cook Street (Assessor's Parcel Block No. 1067, Lot No. 032) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Ordinance No. 087-16

FINALLY PASSED

Recommendations of the Rules Committee

160404 **[Appointment, Commission on Aging Advisory Council - Jose Miguel Rodas]**
Motion appointing Jose Miguel Rodas, term ending March 31, 2017, to the Commission on Aging Advisory Council. (Rules Committee)

Motion No. M16-058

APPROVED

160405 **[Appointment, Bicycle Advisory Committee - Devon Warner]**
Motion appointing Devon Warner, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M16-059

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

150267 **[Charter Amendment - Sixteen and Seventeen-Year-Old Voting for Municipal Elections]**
Sponsors: Avalos; Campos, Kim, Mar, Wiener and Yee
Charter Amendment (Second Draft) to amend the Charter to authorize 16- and 17-year-olds to vote in municipal elections, at an election to be held on November 8, 2016.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Kim, Mar, Peskin, Tang, Wiener, Yee
Noes: 2 - Cohen, Farrell

Recommendation of the Budget and Finance Committee

160357 **[Appropriation - Proceeds from Short-Term Certificates of Participation - Transbay Transit Center Project - $260,000,000 - FY2015-2016]**
Sponsors: Mayor; Kim, Wiener and Campos
Ordinance appropriating $260,000,000 of proceeds from short-term certificates of participation to general City responsibility for interim financing related to the Transbay Transit Center Project in FY2015-2016.
(Fiscal Impact.)

Ordinance No. 088-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Peskin

Recommendations of the Government Audit and Oversight Committee

President Breed requested File Nos. 160242, 160243, 160244, 160306, 160307, and 160309 be called together.

160242 **[Settlement of Lawsuit - Lisa Owen - $2,250,000]**

Ordinance authorizing settlement of the lawsuit filed by Lisa Owen against the City and County of San Francisco for $2,250,000; the lawsuit was filed on July 8, 2014, in San Francisco Superior Court, Case No. CGC-14-540434; entitled Lisa Owen v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury. (City Attorney)

Ordinance No. 080-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160243 **[Settlement of Lawsuit - Ying Zhang and Chen LI - $175,000]**

Ordinance authorizing settlement of the lawsuit filed by Ying Zhang and Chen Li against the City and County of San Francisco for $175,000; the lawsuit was filed on January 21, 2014, in San Francisco Superior Court, Case No. CGC-14-536903 (consolidated with CGC-13-536533); entitled Ying Zhang, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury; other materials terms of said settlement are that the Municipal Transportation Agency is to also pay $175,000, subject to approval by the Municipal Transportation Agency Board. (City Attorney)

Ordinance No. 081-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160244 **[Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - $175,000]**

Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan against the City and County of San Francisco for $175,000; the lawsuit was filed on December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533 (consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing death; other material terms of said settlement are that the Municipal Transportation Agency is to also pay $175,000, subject to approval by the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay $50,000 (insurance coverage limits). (City Attorney)

Ordinance No. 082-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160306 **[Settlement of Unlitigated Claim - Asiana Airlines - City to Receive $3,450,000]**

Ordinance authorizing settlement of an unlitigated claim by the City and County of San Francisco against Asiana Airlines for a payment of $3,450,000 by Asiana Airlines to the City, appropriating funds from the settlement to the City Attorney's Office to pay the City's attorneys' fees and legal expenses, and allocating funds from the settlement to the Airport to pay the Airport's costs; other material terms of the settlement include payment by Asiana Airlines to the City's aviation insurer, the City's acceptance of the site cleanup performed by contractors to Asiana Airlines and approved by the San Francisco Bay Regional Water Quality Control Board, the City's agreement not to originate a lawsuit against the aircraft manufacturer, and mutual release of claims arising out of the July 6, 2013 crash of Asiana Airlines Flight 214; the City made its claim on July 16, 2013. (City Attorney)

Ordinance No. 083-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160307 **[Settlement of Lawsuit - Fernando Guanill - $150,000]**

Ordinance authorizing settlement of the lawsuit filed by Fernando Guanill against the City and County of San Francisco for $150,000; the lawsuit was filed on October 14, 2015, in the United States District Court for the Northern District of California, Case No. 15-cv-04745 LB; entitled Fernando Guanill v. Michael Robert Lewelling, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

Ordinance No. 084-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Campos assumed the chair at 5:32 p.m. so the President could recuse herself from voting on File No. 160308. The President resumed the chair at 5:35 p.m.

Supervisor Breed Excused from Voting

Supervisor Breed requested to be excused from voting on File No. 160308, to avoid any appearance of impropriety even though she has been advised there is no conflict of interest.

Supervisor Avalos, seconded by Supervisor Peskin, moved that Supervisor Breed be excused from voting on File No. 160308. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Breed

160308 **[Settlement of Lawsuit - J.C.R., a Minor, By and Through His Guardian Ad Litem, Guillerma Bojorquez - $50,000]**

Ordinance authorizing settlement of the lawsuit filed by J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez, against the City and County of San Francisco for $50,000; the lawsuit was filed on August 28, 2014, in the United States District Court for the Northern District of California, Case No. 3: 14-cv-3918 NC; entitled J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez v. The City and County of San Francisco, et al. (City Attorney)

Ordinance No. 085-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Breed

160309 **[Settlement of Lawsuit - Fireman's Fund Insurance Company - $125,000]**

Ordinance authorizing settlement of the lawsuit filed by Fireman's Fund Insurance Company against the City and County of San Francisco for $125,000; the lawsuit was filed on July 17, 2014, in San Francisco Superior Court, Case No. CGC-14-540616; entitled Fireman's Fund Insurance Company vs. Alliance of Event Planners and Vendors, Inc., et al.; the lawsuit involves an insurance dispute. (City Attorney)

Ordinance No. 086-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Public Safety and Neighborhood Services Committee

160022 **[Administrative Code - Due Process for All and Sanctuary]**
Sponsors: Avalos; Campos, Kim, Mar and Peskin
Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.

Supervisor Avalos, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of May 24, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

160025 **[Administrative Code - Nutritional Standards for Food and Beverages Sold in Vending Machines on City Property or Served at City Meetings and Events]**
Sponsors: Farrell; Mar
Ordinance amending the Administrative Code to require that prepackaged food and beverages sold in vending machines on City property meet specified nutritional standards and calorie labeling requirements; to require City departments to make best efforts to meet nutritional guidelines for food and beverages purchased with City funds and served at City events and meetings; to encourage restaurants, cafeterias, and concessions located on City property to offer healthy food options; and to require the Department of Public Health (DPH) to submit a report to the Board of Supervisors if DPH concludes that nutritional standards and guidelines should be updated.

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Peskin

160318 **[Appropriation - Proceeds from Certificates of Participation for Animal Care and Control Renovation - $60,500,000 - FY2015-2016]**
Sponsors: Mayor; Tang and Campos
Ordinance appropriating $60,500,000 of Certificates of Participation to the Department of Administrative Services in FY2015-2016 for the Animal Care and Control Renovation Project. (Fiscal Impact.)

Supervisor Campos requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160297 **[Lease Agreement - Swissport Cargo Services, L.P. - West Field Cargo Building 632 and Related Areas on Plot 9 - $2,345,996.92]**

Resolution retroactively approving Lease Agreement No. 14-0263 between Swissport Cargo Services, L.P., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 19,048 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of $2,345,996.92 for a three-year initial term to commence on April 1, 2015, and two one-year options to extend. (Airport Commission)

Resolution No. 179-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160298 **[Emergency Work - Designing, Repairing, and Upgrading Security Systems for County Jail Nos. 1 and 2 - Not to Exceed $2,967,000]**

Resolution approving emergency public work by San Francisco Public Works under Administrative Code, Section 6.60, to design, repair, and upgrade the central control intercom and attendant security systems at the Sheriff's Department's County Jail Nos. 1 and 2, both located at 425-7 Street, with an amount not to exceed $2,967,000. (Public Works)
(Fiscal Impact.)

Resolution No. 180-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160324 **[Cooperative Agreement - California Department of Transportation - Lombard Street Vision Zero Project]**

Sponsor: Farrell

Resolution approving a cooperative agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the development, review, and approval of the project initiation document for the Lombard Street Vision Zero Project, including pedestrian safety, transit improvements, and utility upgrades along Lombard Street between Francisco Street and Van Ness Avenue, and making environmental findings. (Public Works)

Resolution No. 181-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160327 **[Accept and Expend Grant - Association of Bay Area Governments - Bay Area Regional Energy Network Program - $609,258]**

Sponsor: Wiener

Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of $609,258 to perform various activities as part of a Bay Area Regional Energy Network program, an energy efficiency program for the term of July 31, 2015, through December 31, 2016. (Environment)

Resolution No. 183-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

151280 **[Planning Code - Permitting Accessory Massage Uses, with a Conditional Use Permit, in the North of Market Residential Special Use District]**
Sponsor: Kim
Ordinance amending the Planning Code to permit accessory massage uses, with a Conditional Use permit, in the North of Market Residential Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160273 **[Street Artist Spaces - Market Street, Drumm to Spear Streets]**
Resolution approving designation of four selling spaces on the north side of Market Street, Drumm to Spear Streets, for use by street artists certified by the Arts Commission of the City and County of San Francisco; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size, distance from entrances, distance from crosswalks, and distance between artists' displays. (Arts Commission)

Resolution No. 178-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Public Safety and Neighborhood Services Committee

President Breed requested File Nos. 151112 and 160209 be called together.

151112 **[Liquor License - 36 West Portal Avenue]**
Resolution determining that the issuance of a Type 21 off-sale general license to Issa Haddad for West Portal Daily Xpress located at 36 West Portal Street (District 7), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 176-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160209 **[Liquor License - 401 Van Ness Avenue]**

Resolution determining that the issuance of a Type 64 general theatre license to the San Francisco Opera Association located at 401 Van Ness (District 5), will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 177-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160326 **[Lease of City Property - Poets Café LLC - Main Library at 100 Larkin Street - $3,600 per Year]**

Sponsor: Kim

Resolution authorizing the Director of Property to execute a three-year café lease to commence following Board approval between the City and County of San Francisco and Poets Café LLC, for the lease of City-owned property within the Main Library located at 100 Larkin Street, for $3,600 per year. (Public Library)

Resolution No. 182-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Rules Committee

150944 **[Administrative Code - Establishing the Safer Schools Sexual Assault Task Force]**
Sponsors: Kim; Cohen, Tang and Mar

Ordinance amending the Administrative Code to establish the Safer Schools Sexual Assault Task Force to advise the Board of Supervisors regarding proposed policies to reduce sexual assault at educational institutions; and setting forth the membership and duties of the Task Force.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160359 **[Administrative Code - Establishing Municipal Fines and Fees Task Force]**
Sponsors: Avalos; Kim, Cohen and Mar

Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160406 **[Appointment, Market and Octavia Community Advisory Committee - Mohammed Soriano-Bilal]**

Motion appointing Mohammed Soriano-Bilal, term ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Motion No. M16-060

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160407 **[Appointments, Sunshine Ordinance Task Force - Josh Wolf, Leuwam Tesfai, Bruce Wolfe, Dave Maass, Frank Cannata, Chris Hyland, and Louise Fischer]**

Motion appointing Josh Wolf, Leuwam Tesfai, David Pilpel, Dave Maass, Frank Cannata, Chris Hyland, and Louise Fischer, terms ending April 27, 2018, to the Sunshine Ordinance Task Force. (Rules Committee)
(Supervisor Mar dissented on the appointment of David Pilpel in Committee.)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, Line 3, and Line 17, by striking 'David Pilpel' and adding 'Bruce Wolfe'; and Line 17, by striking 'succeeding themself' and adding 'succeeding David Pilpel'. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Campos, Kim, Mar, Peskin
Noes: 5 - Cohen, Farrell, Tang, Wiener, Yee

Motion appointing Josh Wolf, Leuwam Tesfai, Bruce Wolfe, Dave Maass, Frank Cannata, Chris Hyland, and Louise Fischer, terms ending April 27, 2018, to the Sunshine Ordinance Task Force. (Rules Committee)
(Supervisor Mar dissented on the appointment of David Pilpel in Committee.)

Supervisor Wiener requested the question be DIVIDED to consider the appointment of Bruce Wolfe to Seat 6 separately.

Motion No. M16-061

The remaining question to appoint Josh Wolf, Leuwam Tesfai, Dave Maass, Frank Cannata, Chris Hyland, and Louise Fischer was APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Motion No. M16-061

The divided question to appoint Bruce Wolfe was APPROVED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Kim, Mar, Peskin, Yee
Noes: 4 - Cohen, Farrell, Tang, Wiener

Upon approval of both the divided and remaining questions, the Motion was approved as a whole.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Wiener, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Gary Weiss in recognition of his retirement and his many accomplishments and continued community support. Supervisor Peskin shared in this commendation.

ASIAN PACIFIC HERITAGE MONTH
Supervisor Mar provided opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Asian Pacific Heritage Month, their accomplishments, and their continued community support as referenced below:
Supervisor Mar recognized Irene Dea Collier (The Association of Chinese Teachers);
Supervisor Tang recognized Stella Ip (Self Help for the Elderly);
Supervisor Wiener recognized Myriam Cheng (APA Community Center);
Supervisor Avalos recognized Tiffany Ng (Chinese Progressive Association);
Supervisor Yee recognized Terry Carlson (Branch Manager, West Portal Branch Library);
Supervisor Breed recognized Lawrence Li (SF Bicycle Coalition);
Supervisor Cohen recognized Eleanore Fernandez (Public Utilities Commission);
Supervisor Farrell recognized Mel Lee (District 2, Chinatown Community Leader);
Supervisor Kim recognized Garrick Lew, deceased (Founder, Asian Law Caucus);
Supervisor Peskin recognized Rose Pak (Chinese Chamber of Commerce); and
Supervisor Campos recognized Kash Feng (Owner, Breakfast at Tiffany's).
Claudine Cheng provided closing remarks.

President Breed introduced, welcomed, and presented a Certificate of Honor to Harvey Rose (Budget and Legislative Analyst) in recognition of his 80th birthday and for his decades of tireless service to the people of the City and County of San Francisco. The entire Board of Supervisors and the Clerk of the Board shared in this commendation.

Supervisor Mar was noted absent at 6:15 p.m. and for the remainder of the meeting.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdalla Megahed; shared various concerns with the Board.
Mr. Wright; shared his concerns regarding immigration and federal enforcement.
Christopher Dahl; shared his concerns regarding air pollution and the environment.
Dafang Wang; shared concerns related to Falun Gong being rejected by the Cherry Blossom Parade.
Allen Zeng; shared concerns related to Falun Gong being rejected by the Cherry Blossom Parade.
Karen Fleshman; shared concerns related to the reform of the Police Department and removal of Chief Suhr.
Carlos Scholand; shared concerns related to the reform of the Police Department and removal of Chief Suhr.
Male Speaker; shared concerns related to the reform of the Police Department and removal of Chief Suhr.
Male Speaker; shared concerns related to the reform of the Police Department and removal of Chief Suhr.
Johnson Cullins; expressed concerns regarding use of bathrooms by transgender individuals.
Male Speaker; shared various religious concerns.
Silvia Johnson; shared her various experiences with the Board.
Tom Gilberty; shared various concerns regarding elections and political campaigns.
Charles Pitts; shared concerns related to the reform of the Police Department and removal of Chief Suhr.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Cohen requested that File No. 160488 be severed so that it may be considered separately.

160488 **[Urging Adequate State-wide Funding for Dependency Counsel]**
Sponsors: Cohen; Kim, Peskin, Campos, Mar and Tang
Resolution urging the California State Legislature, the Judicial Council, and Governor Jerry Brown to adequately fund dependency counsel in the State of California, a statutory obligation of the State, to address a state-wide crisis in funding deleteriously affecting our most vulnerable families in San Francisco and the State of California, particularly families that are poor and families of color.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Cohen, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors of May 17, 2016. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Peskin requested that File No. 160489 be severed so that it may be considered separately.

160489 **[Urging and Supporting All Efforts to Increase State Supplementary Program Payments to Meet or Exceed the Federal Poverty Level Appropriation]**
Sponsors: Mar; Avalos and Yee
Resolution urging and supporting all efforts by the State Legislature and Governor to increase State Supplementary Program payments to meet or exceed the federal poverty level for elderly, blind or disabled individuals.

Resolution No. 185-16

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

160458 **[Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 21, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director, pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Motion No. M16-062

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

The foregoing items were acted upon by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Cohen, seconded by Supervisor Farrell, moved to rescind the previous vote to consider each of the "For Adoption Without Committee Reference" matters separately. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Farrell, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Farrell, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

160508 **[Harvey Rose Day - May 9, 2016]**
Sponsors: Breed; Tang, Campos, Yee, Kim, Cohen, Farrell, Wiener, Avalos and Mar
Resolution celebrating the 80th birthday of Harvey Rose, thanking Harvey for his decades of service, and designating May 9, 2016, as Harvey Rose Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to Harvey Rose Day as referenced in File No. 160508. Otto Duffy and Mr. Wright wished Harvey Rose a happy birthday. The President declared public comment closed.

Resolution No. 186-16

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

160509 **[Planning Code, Zoning Map - Rezoning 2070 Folsom Street]**
Sponsor: Campos
Ordinance amending the Planning Code by revising the Zoning Map to rezone 2070 Folsom Street, Assessor's Parcel Block No. 3571, Lot No. 031, from its current designation as Public (P) and 50-X, to Urban Mixed Use (UMU) and 85-X; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/10/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/9/2016.

160510 **[Planning Code - Student Housing Exemption from Inclusionary Housing Requirements]**
Sponsor: Wiener
Ordinance amending the Planning Code to change the requirement from five to two years that Student Housing be owned or leased by an educational institution to be exempt from the Inclusionary Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/10/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/9/2016.

160511 **[Settlement of Claims and Litigation - Landslide Damage - Casitas Avenue and Miraloma Drive - Not to Exceed $5,000,000]**
Sponsor: Yee
Ordinance authorizing the Public Utilities Commission and the City Attorney's Office to approve settlements of claims or litigation arising out of the January 25, 2016, landslide between Casitas Avenue and Miraloma Drive, for amounts exceeding $25,000 per claim, notwithstanding Administrative Code, Sections 10.22, 10.22-1, and 10.22-2, for amounts up to $1,000,000 and not to exceed $5,000,000 in total, if the Controller certifies availability of funds, and subject to periodic reporting to the Board of Supervisors Government Audit and Oversight Committee.

05/10/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

160512 **[Contract Agreement - Walgreen Co. - Pharmacy Services - Not To Exceed $19,600,000]**

Sponsor: Mayor

Resolution approving a contract between the Department of Public Health and Walgreen Co., to provide pharmacy services under the federal drug discount program established by Public Health Service Act, Section 340B, for a five-year term of July 1, 2016, through June 30, 2021, in an amount not to exceed $19,600,000. (Public Health Department)
(Fiscal Impact; No Budget and Legislative Analyst Report)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160513 **[Construction Management and Oversight Services Intergovernmental Agreement - Transbay Joint Powers Authority - $4,491,461]**

Sponsor: Mayor

Resolution retroactively approving a Transbay Project Construction Management and Oversight Services Intergovernmental Agreement with the Transbay Joint Powers Authority, including anticipated compensation to the City, through the Department of Public Works, for performing such services, in the total amount of $4,491,461 for a three-year term commencing January 4, 2016, and mutual indemnity provisions; and authorizing the Deputy Director of the Department of Public Works to execute that Agreement.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160514 **[Accept and Expend Grant - State Transportation Development Act, Article 3 - Pedestrian and Bicycle Projects - $995,524]**

Sponsor: Mayor

Resolution authorizing the acceptance and expenditure of a State Transportation Development Act, Article 3, Pedestrian and Bicycle Project grant, in the amount of $995,524 including $497,762 for Public Works and $497,762 for the San Francisco Municipal Transportation Agency, for a three-year period of July 1, 2016, through June 30, 2019.

05/10/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160515 **[Apply for Grants - 2016 Emergency Preparedness Grants]**

Sponsors: Mayor; Farrell

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2016 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2016 State Homeland Security Grant Program, the 2016 Emergency Management Performance Grant, and the 2016 Local Government Oil Spill Contingency Plan Grant Program.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160516 **[Multifamily Housing Revenue Bonds - Central Freeway Parcel O - 455 Fell Street - Not to Exceed $50,000,000]**

Sponsor: Breed

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $50,000,000 for 455 Fell Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project as defined herein, and the Application as defined herein. (Mayor's Office of Housing and Community Development)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160517 **[Option to Ground Lease - 455 Fell Street - 455 Fell, L.P. - For No Cost]**

Sponsor: Breed

Resolution authorizing the execution and performance of an Option to Ground Lease in connection with the parcel located at 455 Fell Street (Assessor's Parcel Block No. 831, Lot No. 24) (the "Property") for no cost, and which expires on June 30, 2017, with an extension option of six months until December 31, 2017, between the City and County of San Francisco and 455 Fell, L.P., a California limited partnership; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein. (Recreation and Park Commission)

(Fiscal Impact; No Budget and Legislative Analyst Report)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160518 **[Multifamily Housing Revenue Bonds - 2060 and 2070 Folsom Street (also known as "17th and Folsom") - Not to Exceed $140,000,000]**

Sponsor: Campos

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $140,000,000 for 2060 and 2070 Folsom Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project as defined herein, and the Application as defined herein. (Mayor's Office of Housing and Community Development)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160519 **[Option to Ground Lease - 2070 Folsom Street - 2060 Folsom Housing, L.P. - For No Cost]**

Sponsor: Campos

Resolution authorizing the execution and performance of an Option to Ground Lease in connection with a parcel located at 2070 Folsom Street (Assessor's Parcel Block No. 3571, Lot No. 031) for no cost, and which expires on June 30, 2018, between the City and County of San Francisco and 2060 Folsom Housing, L.P., a California limited partnership; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein. (Mayor's Office of Housing and Community Development) (Fiscal Impact; No Budget and Legislative Analyst Report)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160520 **[Multifamily Housing Revenue Bonds - 1601 and 1677 Mariposa Street, 485-497 Carolina Street, 395 and 420 Wisconsin Street, and 210 Arkansas Street (also known as "1601 Mariposa") - Not to Exceed $240,000,000]**

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $240,000,000 for 1601 and 1677 Mariposa Street, 485-497 Carolina Street, 395 and 420 Wisconsin Street, and 210 Arkansas Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution as defined herein; and ratifying and approving any action heretofore taken in connection with the Project as defined herein, and the Application as defined herein. (Mayor's Office of Housing and Community Development)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160521 **[Multifamily Housing Revenue Bonds - 909 and 921 Howard Street, 206-228 5th Street, and 414 Tehama Street (also known as "5th and Howard") - Not to Exceed $225,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $225,000,000 for 909 and 921 Howard Street, 206-228 5th Street, and 414 Tehama Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project as defined herein, and the Application as defined herein. (Mayor's Office of Housing and Community Development)

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160522 **[Selection of Independent Auditors - Macias, Gini & O'Connell, LLP - Not to Exceed $9,388,686]**

Sponsor: Peskin

Resolution selecting Macias, Gini & O'Connell, LLP, as independent auditors for the Controller's Office and the separately audited departments of the City, for an amount not to exceed $9,388,686 over a four-year contract term to commence July 1, 2016, with one three-year option to renew. (Controller)

(Fiscal Impact; No Budget and Legislative Analyst Report)

05/10/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160523 **[Bay Day - October 1, 2016]**

Sponsor: Wiener

Resolution declaring October 1, 2016, to be Bay Day in the City and County of San Francisco.

05/10/16; RETURNED UNSIGNED.

Motion

160504 **[Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 28, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program pursuant to the provisions of Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

05/03/16; RECEIVED FROM DEPARTMENT.

05/10/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

160524 **[Hearing - Report of the Blue Ribbon Panel on Transparency, Fairness, and Accountability in Law Enforcement]**
Sponsor: Avalos
Hearing on the report of the Blue Ribbon Panel on Transparency, Fairness, and Accountability in Law Enforcement; and requesting the Chief of Police to report.

05/10/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160525 **[Hearing - Use of Force and Early Intervention System Statistics and the Status of Various Reforms to the San Francisco Police Department]**
Sponsor: Avalos
Hearing on the San Francisco Police Department's Use of Force and Early Intervention System (EIS) statistics, and on the status of implementing various reforms to the Police Department including the Use of Force incident statistics for the past five years; the Early Intervention System statistics for the past five years, including the number of officers flagged as outliers, the number and type of interventions, an analysis of the number of "outlier" officers that supervisors have under their command, and an analysis of officers flagged by the EIS who were subsequently charged or convicted with crimes, implicated in inappropriate text messaging, or involved in officer-involved shootings; the status of officer compliance with Bureau Bulletins that require officers to maintain "time and distance" from individuals who are not a threat to any other person, and any corrective or disciplinary actions taken for officers found not to comply with these bulletins; an update on actions taken to investigate racial profiling practices in traffic stops and searches, and any corrective of disciplinary actions taken; an update on action taken to investigate why Chief Suhr presented incorrect information about Mario Woods raising a knife towards officers prior to his shooting and any corrective or disciplinary actions taken to correct this misinformation in the investigation; and requesting the Chief of Police to report.

05/10/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160526 **[Hearing - The City's Financial Position]**
Sponsor: Farrell
Hearing on the City's financial position; and requesting the Mayor's Budget Director, the Budget and Legislative Analyst, and the Controller to report.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160459 **[Hearing - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties through the Accelerated Sidewalk Abatement Program, ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund, scheduled pursuant to Motion No. M16-062, approved May 10, 2016. (Clerk of the Board)

05/10/16; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

160444 **[Financing - Portsmouth Plaza Parking Corporation - Not to Exceed $12,500,000]**
Resolution authorizing a financing to be undertaken by the City of San Francisco Portsmouth Plaza Parking Corporation on behalf of the City in an amount not to exceed $12,500,000 and approving the forms of and authorizing the execution and delivery of documents reasonably necessary for such financing; ratifying and approving any action heretofore taken in connection with the financing; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Recreation and Park Commission)
(Fiscal Impact; No Budget and Legislative Analyst Report)

04/27/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160445 **[Lease Agreement - Andale Management Group, Inc. - Pre- and Post-Security Concessions - $560,000 Minimum Annual Guarantee]**
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0012 between Andale Management Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years and three one-year options to extend, and a post-security concession with a term of ten years and two one-year options to extend, each term to commence upon Board approval, and an initial minimum annual guarantee of $560,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160446 **[Lease Agreement - High Flying Foods SFO, LLC - Post-Security Concession - $294,000 Minimum Annual Guarantee]**
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0013 between High Flying Foods SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession for a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of $294,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160447 **[Lease Agreement - Tastes On The Fly, San Francisco, LLC - Pre- and Post-Security Concessions - $910,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0014 between Tastes On The Fly, San Francisco, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for one pre-security concession for a term of seven years with three one-year options to extend, and two post-security concessions for a term of ten years with two one-year options to extend, each term to commence following Board approval, and an initial Minimum Annual Guarantee of $910,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160448 **[Lease Agreement - Mum Fresh SF, Inc. - Post-Security Concession - $165,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0015 between Mum Fresh SF, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of $165,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160449 **[Lease Agreement - Tomokazu Japanese Cuisine (SFO), Inc. - Post-Security Concession - $165,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0016 between Tomokazu Japanese Cuisine (SFO), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of $165,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160450 **[Lease Agreement - SSP America, Inc. - Post-Security Concession - $225,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0017 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of $225,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160451 **[Lease Agreement - Joe & The Juice SFO, LLC - Post-Security Concession - $150,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0018 between Joe & The Juice SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of $150,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160452 **[Lease Agreement - Stix Holdings, LLC - Pre-Security Concession - $155,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0019 between Stix Holdings, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of $155,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160453 **[Lease Agreement - Midfield Concession Enterprises, Inc. - Pre-Security Concession - $125,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0020 between Midfield Concession Enterprises, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of $125,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160454 **[Lease Agreement - Bayport Concessions, LLC - Pre-Security Concession - $155,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0021 between Bayport Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of $155,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160455 **[Lease Agreement - Adam Light - Pre-Security Concessions - $190,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0022 between Adam Light and the City and County of San Francisco, acting by and through its Airport Commission, for two pre-security concessions with a term of seven years to commence upon Board approval, with three one-year options to extend, and an initial minimum annual guarantee of $190,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160456 **[Lease Agreement - Host International, Inc. - Pre-Security Concessions - $120,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0023 between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for two pre-security concessions with a term of seven years to commence with Board approval, with three one-year options to extend, and an initial minimum annual guarantee of $120,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160457 **[Lease Agreement - SSP America, Inc. - Pre-Security Concession - $196,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0024 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence with Board approval, with three one-year options to extend, and an initial minimum annual guarantee of $196,000. (Airport Commission)

04/29/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160460 **[Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

05/02/16; RECEIVED FROM DEPARTMENT.

05/10/16; RECEIVED AND ASSIGNED to Board of Supervisors.

Request Granted

From: Supervisor Peskin
To: Office of Small Business
Requesting/Inquiring: Supervisor Peskin inquires with the Office of Small Business regarding implementation and administration of the San Francisco Legacy Business Registry and Legacy Business Preservation Fund.

Dear Director Dick-Endrizzi of the Office of Small Business,

The Office of Small Business was not represented at the May 4, 2016 meeting of the SF Historic Preservation Commission, at which that policy body received an Informational Update on the Legacy Business Registry and Legacy Business Preservation Fund. Supervisor Peskin hereby submits the following inquiries regarding the status of the implementation and administration of San Francisco's Legacy Business Registry and the Legacy Business Preservation Fund:

1. Approximately how many businesses in San Francisco are potentially eligible for inclusion on the Legacy Business Registry?
2. How many nominations has the Office of Small Business received of businesses that are potentially eligible for inclusion on the Legacy Business Registry? Please list all businesses and sort by nominating authority.
3. Of the nominated businesses, how many has the Office of Small Business reached out to for assistance in completing the application?
4. How many Legacy Business Registry applications has the Office of Small Business received? How many of these applications have been reviewed for completeness? How many of these applications have been deemed complete? What efforts have been made by the Office of Small Business to reach out to businesses that may have submitted incomplete applications?
5. What kind of application does the Office of Small Business perform prior to forwarding an application to the Historic Preservation Commission?
6. How many applications has the Office of Small Business forwarded to the Historic Preservation Commission or Small Business Commission for review?
7. Has the Office of Small Business translated and made available the Legacy Business Registry Application and/or Instructions to that Application into any languages other than English? If so, please provide these forms.
8. When does the Office of Small Business plan to send its next batch of Legacy Business Registry Applications to the Historic Preservation Commission or Small Business Commission for review? How many applications does the Office of Small Business plan to send at that time?
9. Describe the role of the Office of Small Business in implementing and administering the Legacy Business Preservation Fund, specifically as it relates to the roles and functions performed by Planning Department Staff and the Office of Economic and Workforce Development.
10. How does administration and implementation of the Legacy Business Registry and Legacy Business Registration Fund fit within the context the Office of Small Business' other functions?
11. Approximately how many total staff hours has the Office of Small Business expended in furtherance of adding businesses to the Legacy Business Registry and administering the Legacy Business Preservation Fund? To the extent possible, please itemize the time spent by type of activity (e.g., creating forms, reaching out to potentially eligible businesses, preparing for hearings before City policy bodies).
12. Approximately how many staff hours per week does the Office of Small Business dedicate to outreach efforts to businesses that may be eligible for inclusion on the Legacy Business Registry?
13. Please provide an organizational chart showing the appropriate contact persons at the Office of Small Business tasked with performing outreach to potentially eligible businesses, fielding and processing applications, and other duties related to the implementation of the Legacy Business Registry and the Legacy Business Preservation Fund.
14. How many points of contact have you received from members of the public or representatives or agents of potentially eligible businesses regarding the Legacy Business Registry or the Legacy Business Preservation Fund, and how many of those contacts have you been able to respond to?

15. How many points of contact have you received from various City departments, staff members, or other City officials regarding the Legacy Business Registry or the Legacy Business Preservation Fund, and how many of those contacts have you been able to respond to? Please respond to these inquiries by the end of the business day on May 18, 2016, and in any event in advance of the Hearing on the implementation of the Legacy Business Registry and Historic Preservation Fund, presently scheduled at the May 19, 2016 regular meeting of the Government Audit and Oversight Committee. Please copy my staff person Lee Hepner on any correspondence relating to this inquiry, at Lee.Hepner@sfgov.org.

In Memoriams

Helen Miramontes - Supervisor Peskin
Bruce H. Selby - Supervisor Yee
Clarence Johnson - Supervisor Breed

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 14, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 17, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT
AUG - 1 2016
SAN FRANCISCO
PUBLIC LIBRARY

LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 17, 2016, with President Pro Tempore Katy Tang presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:00 p.m. On the call of the roll, Supervisors Farrell and Kim were noted not present. There was a quorum.

Supervisors Kim and Farrell were noted present at 2:01 p.m.

Appointment of President Pro Tempore

President Breed informed the Board of Supervisors that she had lost her voice and appointed Supervisor Tang as President Pro Tempore beginning at 2:02 p.m. and for the remainder of the meeting.

COMMUNICATIONS

There were no communications.

President Pro Temp Tang acknowledged the Beijing City Legislative Delegation that was in attendance at today's meeting and granted privilege of the floor, without objection, to a representative from the delegation who provided opening remarks to the Board. Supervisors Yee and Mar shared in the welcoming of the delegation.

APPROVAL OF MEETING MINUTES

President Pro Temp Tang inquired whether any Board Member had any corrections to the Board Meeting Minutes of April 12, 2016. There were no corrections.

Supervisor Mar, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of April 12, 2016. The motion carried by the following vote, following general public comment:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

160318 **[Appropriation - Proceeds from Certificates of Participation for Animal Care and Control Renovation - $60,500,000 - FY2015-2016]**
Sponsors: Mayor; Tang and Campos
Ordinance appropriating $60,500,000 of Certificates of Participation to the Department of Administrative Services in FY2015-2016 for the Animal Care and Control Renovation Project. (Fiscal Impact.)

Ordinance No. 092-16

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

151280 **[Planning Code - Permitting Accessory Massage Uses, with a Conditional Use Permit, in the North of Market Residential Special Use District]**
Sponsor: Kim
Ordinance amending the Planning Code to permit accessory massage uses, with a Conditional Use permit, in the North of Market Residential Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 090-16

FINALLY PASSED

Recommendations of the Rules Committee

150944 **[Administrative Code - Establishing the Safer Schools Sexual Assault Task Force]**
Sponsors: Kim; Cohen, Tang and Mar
Ordinance amending the Administrative Code to establish the Safer Schools Sexual Assault Task Force to advise the Board of Supervisors regarding proposed policies to reduce sexual assault at educational institutions; and setting forth the membership and duties of the Task Force.

Ordinance No. 089-16

FINALLY PASSED

160359 **[Administrative Code - Establishing Municipal Fines and Fees Task Force]**
Sponsors: Avalos; Kim, Cohen and Mar
Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force.

Ordinance No. 093-16

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

160025 **[Administrative Code - Nutritional Standards for Food and Beverages Sold in Vending Machines on City Property or Served at City Meetings and Events]**
Sponsors: Farrell; Mar
Ordinance amending the Administrative Code to require that prepackaged food and beverages sold in vending machines on City property meet specified nutritional standards and calorie labeling requirements; to require City departments to make best efforts to meet nutritional guidelines for food and beverages purchased with City funds and served at City events and meetings; to encourage restaurants, cafeterias, and concessions located on City property to offer healthy food options; and to require the Department of Public Health (DPH) to submit a report to the Board of Supervisors if DPH concludes that nutritional standards and guidelines should be updated.

Ordinance No. 091-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Peskin

Recommendations of the Government Audit and Oversight Committee

President Pro Tem Tang requested File Nos. 150672 and 160313 be called together.

150672 **[Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2015]**
Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2015 calendar year. (Sheriff)

Resolution No. 188-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160313 **[Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2016]**
Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2016 calendar year. (Sheriff)

Resolution No. 190-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

160225 **[Administrative Code - Best Value Public Works Procurement]**
Sponsors: Wiener; Tang, Breed and Yee
Ordinance amending the Administrative Code to allow departments authorized to perform public work to procure public work contracts through a best value process that selects contractors using a combination of price and qualifications, with bid discounts applicable to price; and to require completion of public works contractor performance evaluations, and to require the creation and maintenance of a database to collect the contractor performance evaluations.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 23, by adding 'estimated to cost more than or equal to $1,500,000' after 'contract for Public Works or Improvements'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Noes: 1 - Avalos

160358 **[Appropriation and De-Appropriation - Surplus Revenue and Expenditures - Supporting Increased Overtime Expenditures - $24,682,824 - FY2015-2016]**
Sponsor: Mayor

Ordinance appropriating $4,112,120 surplus revenues, de-appropriating $20,570,704 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating $24,682,824 to overtime in the Sheriff's Department, Department of Emergency Management, Fire Department, Public Health Department, Public Utilities Commission, and the Police Department operating budgets in order to support the Departments' projected increases in overtime as required per Ordinance No. 194-11 in FY2015-2016; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Fire Department overtime appropriations, pursuant to Charter, Section 9.113(c).
(Fiscal Impact)

Privilege of the floor was granted unanimously to Harvey Rose, Budget and Legislative Analyst, and Nicole Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Breed, Campos, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Peskin

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NOT PASSED ON FIRST READING by the following vote:
Ayes: 5 - Breed, Farrell, Tang, Wiener, Yee
Noes: 6 - Avalos, Campos, Cohen, Kim, Mar, Peskin

Supervisor Farrell, seconded by Supervisor Breed, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Although a motion and second was not required, Supervisor Farrell, seconded by Supervisor Cohen, moved that this Ordinance be DIVIDED to consider the Fire Department, Department of Emergency Management, and Sheriff's Department separately. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Noes: 1 - Avalos

Supervisor Avalos, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

The divided question relating to the Fire Department, Department of Emergency Management, and the Sheriff's Department was PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Privilege of the floor was granted unanimously to Melissa Whitehouse (Mayor's Office) who responded to questions raised throughout the discussion.

The remaining balance of the Ordinance relating to the Department of Public Health, Public Utilities Commission, and the Police Department was PASSED ON FIRST READING by the following vote:

Ayes: 7 - Breed, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Kim, Peskin

Upon passage of both the divided portion and the remaining balance of the Ordinance, the Ordinance was passed on first reading as a whole.

President Pro Temp Tang requested File Nos. 160295 and 160296 be called together.

160295 **[Lease Agreement - Bank of America, N.A. - $365,000 Minimum Annual Guarantee]**
Resolution approving the Domestic Terminals 1 and 3 Automated Teller Machines Lease No. 16-0070 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $365,000 for the first year of the Lease for a five-year term to commence following Board approval, with a two-year option to extend exercisable at the sole discretion of the Airport Commission. (Airport Commission)

Supervisor Campos, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 24, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160296 **[Lease Agreement - Bank of America, N.A. - $270,000 Minimum Annual Guarantee]**
Resolution approving the International Terminal Automated Teller Machines Lease No. 16-0069 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $270,000 for the first year of the Lease for a five-year term to commence following Board approval with a two-year option to extend exercisable at the sole discretion of the Airport Commission. (Airport Commission)

Supervisor Campos, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 24, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160311 **[Lease Agreement - China Airlines Limited - Airport Building No. 648 and Related Areas on Plot 10 - $5,851,076]**
Resolution retroactively approving and authorizing the execution of Facility Lease Agreement No. 16-0072 for Cargo Building 648 on Plot 10, between China Airlines Limited and the City and County of San Francisco, acting by and through its Airport Commission, for an estimated rent of $5,851,076 for a three-year term to commence April 9, 2016, through April 8, 2019, with one three-year option to extend. (Airport Commission)

Resolution No. 189-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160315 **[Agreement Amendment - Cogsdale Corporation - Software Maintenance, FAMIS Project - Maximum Expenditure of $1,759,067.62]**
Resolution authorizing the Controller to enter into the Ninth Amendment of a Software Maintenance Agreement with Cogsdale Corporation, for perpetual software maintenance services for the Controller's Financial Accounting and Management Information System ("FAMIS") Project, extending the contract term of July 1, 2006, through June 30, 2016, up to three years through June 30, 2019, and increasing the maximum expenditure for the Ninth Amendment up to $452,661.65, and a total contract amount up to $1,759,067.62. (Controller)
(Fiscal Impact)

Resolution No. 191-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Pro Temp Tang requested File Nos. 160369 and 160371 be called together.

160369 **[Multifamily Housing Revenue Bonds - 1101 Connecticut Street (also known as Potrero Block X) - Not to Exceed $56,000,000]**

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $56,000,000 for 1101 Connecticut Street (also known as Potrero Block X); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $56,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

Resolution No. 193-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160371 **[Multifamily Housing Revenue Bonds - 1035 Folsom Street and 21 Columbia Square Street - Not to Exceed $16,000,000]**

Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $16,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 50-unit multifamily residential rental housing project known as Columbia Park Apartments; ratifying the approvals and terms and conditions of a previous Resolution; and related matters. (Mayor's Office of Housing and Community Development)

Resolution No. 194-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160427 **[Replacement Credit Facilities - Tax Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation - To Fund Board-Approved Capital Projects - Not to Exceed $250,000,000]**

Sponsor: Mayor

Resolution re-authorizing the issuance of Tax-Exempt (Series 1 and Series 2) and Taxable Lease Revenue Commercial Paper Certificates of Participation (Series 1-T and Series 2-T), in an aggregate principal amount not to exceed $250,000,000 to finance the acquisition, construction, and rehabilitation of capital improvements and capital equipment approved by the Board of Supervisors and the Mayor; authorizing the replacement of the existing credit facilities in the amount of $150,000,000; and approving and authorizing execution of a first supplement to trust agreement, a first amendment to site lease, a first amendment to sublease, revolving credit agreements, fee agreements, dealer agreements, and certain other related financing documents, and authorizing other related actions.
(Fiscal Impact)

Resolution No. 184-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160481 **[Preservation of Affordable Housing Units - South Beach Marina, Inc. - South Beach Marina Apartments - 2 Townsend Street - Not to Exceed $59,300,000]**

Sponsors: Kim; Campos

Resolution approving an agreement with South Beach Marina, Inc., to preserve 101 affordable housing units at South Beach Marina Apartments in an amount not to exceed $59,300,000 and authorizing the Director of the Mayor's Office of Housing and Community Development to execute the Agreement on behalf of the City and County of San Francisco to prevent the displacement of existing low- and moderate-income households residing at the South Beach Marina Apartments, and creating permanent affordability restrictions for all units to remain affordable to households earning up to 120% of Area Median Income. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 197-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

160278 **[Administrative Code - City Navigation Centers for the Homeless]**
Sponsors: Campos; Avalos, Mar and Farrell
Ordinance amending the Administrative Code to require the City to open and operate no fewer than six Navigation Centers within twenty-four months of the effective date of the ordinance, offering comprehensive health, mental health, and other services to homeless people, and moving homeless people off the streets and into permanent housing or transitional or stable supportive housing that eventually leads to permanent housing through case management, social service programs, and the integration of other relevant city services; specifying programmatic requirements for Navigation Centers; requiring the development of plans for the equitable distribution of shelter and housing resources, and the identification of sustainable revenue sources for the development of new, permanent housing; and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of June 14, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160124 **[Setting the 2016 Budget and Legislative Analyst Services Audit Plan]**
Sponsors: Campos; Avalos, Kim, Yee, Peskin and Mar
Motion directing the Budget and Legislative Analyst to conduct a performance audit of the City's Real Estate Division in 2016.

Motion No. M16-063

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendation of the Land Use and Transportation Committee

160431 **[Commemorative Street Name Designation - "Gene Compton's Cafeteria Way" - 100 Block of Taylor Street]**

Sponsors: Kim; Campos, Wiener and Peskin

Resolution approving the addition of the commemorative street name "Gene Compton's Cafeteria Way" to the 100 Block of Taylor Street in recognition of the Fiftieth Anniversary of the turning point for the civil rights movement for Gay, Lesbian, Bisexual, Transgender, Queer, Questioning, and Intersex people, and in specific the contributions of Transgender Women.

Resolution No. 196-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Supervisor Campos, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Gladys Jurgens in recognition of her retirement at the age of 93 from the Office of the Treasurer after 34 years of service to the City and County of San Francisco. Jose Cisneros, City Treasurer, shared in this commendation.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Vince Harris in recognition of his retirement from the Municipal Transportation Agency and his over 35 years working in the transportation field in both the public and private sectors.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Peter Alpert in recognition of his retirement from the Municipal Transportation Agency and his many accomplishments and support to the City and County of San Francisco. Supervisors Wiener, Cohen and Tang shared in this commendation.

On behalf of Supervisor Breed, Supervisor Wiener introduced, welcomed, and presented Certificates of Honor to the recipients of the 2016 Emergency Medical Services Awards: Dawn Mahoney (EMS Dispatcher Award), Jared Cooper and Marc Santos (EMS Field Provider Award), Dr. Claude Hemphill (EMS Hospital Provider Award), Jason Mitchell (Community Services Award), and Sharon Kennedy (Raymond Lim Excellence in EMS Award), in recognition of their accomplishments and continued community support to the City and County of San Francisco.

SPECIAL ORDER 3:00 P.M.

160400 **[Public Hearing - Appeal of Conditional Use Authorization - 1066 Market Street]**
Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 124(f) and 303, for a proposed project at 1066 Market Street, Assessor's Parcel Block No. 0350, Lot No. 003, identified in Planning Case No. 2013.1753CXV, issued by the Planning Commission by Motion No. 19594 dated March 17, 2016, to allow additional square footage above the base floor area ratio for dwelling units that will be affordable for the life of the project to households whose incomes are within 90% of the area median income. (District 6) (Appellant: Donald Falk, on behalf of the Tenderloin Neighborhood Development Corporation) (Filed April 18, 2016). (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of June 28, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

The President Pro Temp CONTINUED the Hearing to June 28, 2016.

160401 **[Approving Conditional Use Authorization - 1066 Market Street]**
Motion approving the decision of the Planning Commission by its Motion No. 19594, approving a Conditional Use Authorization identified as Planning Case No. 2013.1753CXV for a proposed project located at 1066 Market Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of June 28, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160402 **[Disapproving Conditional Use Authorization - 1066 Market Street]**
Motion disapproving the decision of the Planning Commission by its Motion No. 19594, approving a Conditional Use Authorization identified as Planning Case No. 2013.1753CXV for a proposed project located at 1066 Market Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of June 28, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160403 **[Preparation of Findings Related to Conditional Use Authorization Appeal - 1066 Market Street]**
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2013.1753CXV for a proposed project located at 1066 Market Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of June 28, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

160350 **[Hearing - Report of Assessment Costs for Blighted Properties]**
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

President Pro Temp Tang opened the public hearing and inquired as to whether any member of the public wished to address the Board relating to the assessment costs for blighted properties as referenced in File Nos. 160350 and 160351. John Riley and Phil Gallagher (Public Works) provided an overview of the assessments. Male Speaker; spoke objecting to the proposed assessments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

160351 **[Report of Assessment Costs for Blighted Properties]**
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

Male Representative (Public Works) indicated that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment: 411 Grant Avenue; and 999 Laguna Street. The amendments to the accompanying report, as provided by Public Works, included in File No. 160351, were received without objection.

Resolution No. 192-16

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

COMMITTEE REPORTS

160388 **[Option Agreement - Sale of Transbay Block 4 - F4 Transbay Partners, LLC - $45,000,000]**
Sponsors: Mayor; Kim
Resolution approving an option agreement for the potential sale of Transbay Block 4 (the northern one-third of the block bounded by Beale, Howard, Main, and Folsom Streets) by the Successor Agency to the San Francisco Redevelopment Agency to F4 Transbay Partners, LLC, a Delaware limited liability company, for $45,000,000; and making findings under Health and Safety Code, Section 33433.

Resolution No. 195-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160486 **[Development of a Transportation Sales Tax Expenditure Plan]**
Sponsors: Wiener; Avalos, Mar and Campos
Resolution urging the San Francisco County Transportation Authority, in partnership with the Mayor's Office and the San Francisco Municipal Transportation Agency, to develop a San Francisco Transportation Expenditure Plan to specify the use of revenues from a potential new half-cent sales tax for transportation for potential consideration for the November 2016 ballot.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 198-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Francisco Da Costa; shared concerns regarding unity within the community, campaign donations, and the Ohlones and Miwoks.
Andrew Yip; expressed various concerns and experiences.
Peter Alexander; shared concerns regarding gentrification and transparency.
Eileen Boken; shared concerns regarding Municipal Transportation Agency and transportation issues.
Christopher Dahl; shared concerns regarding climate change and the rising of sea levels.
Male Speaker; shared concerns regarding uneven enforcement of the Board's Rules of Order.
John Lowell ; shared concerns regarding Vision Zero and the number of fatalities being counted.
Ace Washington; shared concerns regarding the out migration of San Francisco.
Walter Paulson; shared in song various concerns with the Board.
Male Speaker; shared concerns regarding medical marijuana and operating a vehicle.
Yolanda Jackson; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Nancy Davis; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Jill McInerney; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Bonnie Gordon; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Emina Abrams; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Abigail Trillin; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Zabrina Aleguire; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Sharon Meadows; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Jennifer Paskinosky; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Patricia Siehl; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Semutah Freeman; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Renee Espinoza; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Shira Andron; expressed her support of File No. 160488 regarding adequate state-wide funding for the dependency counsel.
Female Speaker; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
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Female Speaker; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
Female Speaker; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
Alice Shu; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
Mr. Wright; expressed concerns regarding the proposed Navigation Centers and subsidized housing.
Female Speaker; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
Karen Fleshman; shared concerns relating to the Police Department reform and removal of Chief Greg Suhr.

Male Speaker; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
Alan; shared concerns regarding the Falun Da Fa being banned at the Japantown Cherry Blossom parade.
Tom Gilberty; shared concerns regarding the disproportionate treatment of the disenfranchised.

Supervisor Avalos was noted absent at 5:10 p.m. and for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160523 **[Bay Day - October 1, 2016]**
Sponsor: Wiener
Resolution declaring October 1, 2016, to be Bay Day in the City and County of San Francisco.

Resolution No. 199-16

ADOPTED

160507 **[Final Map 8270 - 388 Fulton Street]**
Motion approving Final Map 8270, a 69 residential unit and five commercial unit, mixed-use Condominium Project, located at 388 Fulton Street, being a subdivision of Assessor's Parcel Block No. 0785, Lot No. 051, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-065

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 160488 be severed so that it may be considered separately.

160488 **[Urging Adequate State-wide Funding for Dependency Counsel]**
Sponsors: Cohen; Kim, Peskin, Campos, Mar and Tang

Resolution urging the California State Legislature, the Judicial Council, and Governor Jerry Brown to adequately fund dependency counsel in the State of California, a statutory obligation of the State, to address a state-wide crisis in funding deleteriously affecting our most vulnerable families in San Francisco and the State of California, particularly families that are poor and families of color.

Supervisors Mar and Tang requested to be added as co-sponsors.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 13 through 14, by striking 'the index for San Francisco African American foster youth is 8-10 times that of San Francisco's African American and Latino population' and adding 'the index for San Francisco's foster youth is 8-10 times that for San Francisco's African American families and the index is 1.8 for the San Francisco's Latino families'; and on Page 4, Line 13, by adding 'and; be it' after 'throughout the state', and on Line 14, by adding 'FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to transmit copies of this Resolution to Governor Jerry Brown, Senate President Gavin Newsom, Speaker of the Assembly Anthony Rendon, and to the City's Lobbyist.' The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

Resolution No. 187-16

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

The Clerk of the Board requested that File No. 160504 be severed so that it may be considered separately.

160504 **[Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 28, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program pursuant to the provisions of Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Breed, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 7 through 8, and Lines 14 through 15, by striking 'Sections 707 and 707.1' and adding 'Section 706.9, and Administrative Code, Section 80'. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 28, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Section 80, the costs thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

Motion No. M16-064

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

160281 **[Planning Code - Dwelling Unit Mix Requirements]**
Sponsor: Yee

Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the bedrooms being in units that have more than one bedroom; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

03/22/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/21/2016.

03/29/16; REFERRED TO DEPARTMENT.

04/04/16; RESPONSE RECEIVED.

05/17/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160547 **[Memorandum of Understanding - International Federation of Professional and Technical Engineers, Local 21]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the FYs 2014-2017 Memorandum of Understanding between the City and County of San Francisco and International Federation of Professional and Technical Engineers, Local 21 by implementing specified terms and conditions of employment for FYs 2016-2017.

05/17/16; ASSIGNED to Government Audit and Oversight Committee.

160548 **[Memorandum of Understanding - Service Employees International Union, Local 1021]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the FYs 2014-2017 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FYs 2016-2017.

05/17/16; ASSIGNED to Government Audit and Oversight Committee.

160549 **[Compensation for Unrepresented Employees]**

Sponsor: Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and, methods of payment, effective July 1, 2016.

05/17/16; ASSIGNED to Government Audit and Oversight Committee.

160550 **[Planning Code - Waiving Inclusionary Housing Requirements, Exempting Certain Floor Area from the Calculation of Gross Floor Area and Transferable Development Rights Requirements, and Authorizing Land Dedication at No Cost - 1066 Market Street]**

Sponsor: Kim

Ordinance waiving the Inclusionary Affordable Housing requirements set forth in Planning Code, Section 415 et seq., exempting 21,422 square feet from the calculation of gross floor area pursuant to Planning Code, Section 124, to allow the additional floor area, and exempting 21,422 square feet from Planning Code, Sections 123 and 128, to reduce any required transferable development rights by such amount, for a project located at 1066 Market Street, in exchange for the dedication of certain real property to the Mayor's Office of Housing and Community Development at no cost; authorizing actions in furtherance of this Ordinance, as defined herein; adopting findings regarding the Final Mitigated Negative Declaration under the California Environmental Quality Act; and making findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/17/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/16/2016.

160551 **[Reward for Information About Underpayment of Property Tax - Charles Scoble - $1,848.17]**
Sponsor: Peskin
Ordinance approving Assessor's recommended reward of $1,848.17 to Charles Scoble for information that led to detection of underpayment of property tax from an unreported change in ownership.

05/17/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/16/2016.

160552 **[General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing]**
Sponsor: Peskin
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 8, 2016, for the purpose of submitting to San Francisco voters a proposition to amend Proposition A (approved November 1992) to authorize the City to incur general obligation bonded indebtedness (Bonds) for the additional purposes of providing loans to finance the costs to acquire, improve, and rehabilitate and to convert at-risk multi-unit residential buildings to permanent affordable housing, performing needed seismic, fire, health, and safety upgrades and other major rehabilitation for habitability, and related costs necessary or convenient for the foregoing purposes; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens' General Obligation Bond Oversight Committee's review of the Bonds; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).

05/17/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/16/2016.

160553 **[Planning Code - Signs - Exemptions and General Advertising Sign Penalties]**
Sponsor: Peskin
Ordinance amending the Planning Code to clarify that all noncommercial Signs are exempt from regulation pursuant to Planning Code, Article 6; increase penalties for repeat violations for the display of illegal General Advertising Signs; shorten the time before penalties for General Advertising Sign violations begin to accrue; allow property liens for such penalties that go unpaid; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

05/17/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/16/2016.

160554 **[Administrative Code - Rent Control for Tenants in Housing Opportunities for Persons With AIDS Program]**
Sponsors: Wiener; Campos, Breed, Cohen, Mar, Yee and Farrell
Ordinance amending the Administrative Code to allow persons receiving tenant-based rental assistance under the federal Housing Opportunities for Persons With AIDS (HOPWA) program to be eligible for protections against rent increases.

05/17/16; ASSIGNED to Land Use and Transportation Committee.

Resolutions

160555 **[Option to Ground Lease - Potrero Housing Associates I, L.P. - Two Parcels at 1101 Connecticut Street - For No Cost]**

Sponsor: Cohen

Resolution authorizing the execution and performance of an Option to Ground Lease in connection with the parcels located at 1101 Connecticut Street (Assessor's Parcel Block No. 4287, Lot No. 007) ("Parcel One") and Connecticut Street and 25th Street (Assessor's Parcel Block No. 4287, No. Lot 001A) ("Parcel Two" and together with Parcel One, "the Property") for no cost, which expires on June 30, 2017, with an extension option of six months until December 31, 2017, between the City and County of San Francisco and Potrero Housing Associates I, L.P., a California limited partnership; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)

05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160556 **[Yerba Buena Community Benefit District - Annual Report to the City - FY2014-2015]**

Sponsor: Kim

Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

05/17/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160557 **[General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing - $350,000,000]**

Sponsor: Peskin

Resolution determining and declaring that the public interest and necessity demand the acquisition, improvement and rehabilitation and conversion of "at-risk" multi-unit residential buildings to permanent affordable housing and performing needed seismic, fire, health, and safety upgrades, and other major rehabilitation for habitability, to be financed through bonded indebtedness in an amount not to exceed $350,000,000; providing for the levy and collection of taxes to pay both principal and interest on such bonds; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed bond is in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact; No Budget and Legislative Analyst Report)

05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160558 **[Grant Agreement - Broadway Sansome Associates, L.P. - Municipal Transportation Authority Rent Subsidies - Not to Exceed $1,192,320]**
Sponsor: Peskin
Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Grant Agreement with Broadway Sansome Associates, L.P., to provide Municipal Transportation Authority rent subsidies for 12 permanently displaced low-income households at 255 Broadway Street, for a thirty-year period to commence following Board approval, in an amount not to exceed $1,192,320.
(Fiscal Impact; No Budget and Legislative Analyst Report)
05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160559 **[Cooperative Agreement - Caltrans - 19th Avenue Combined City Project]**
Sponsors: Tang; Yee
Resolution approving a cooperative agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the design and construction of the 19th Avenue combined City project including pedestrian safety, transit improvements, and utility upgrades along 19th Avenue between Junipero Serra Boulevard and Lincoln Way.
05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160560 **[Supporting California State Senate Bill 1157 (Mitchell) - Strengthening Family Connections]**
Sponsor: Breed
Resolution supporting California State Senate Bill 1157, authored by Senator Mitchell, to strengthen family connections in order to ensure families have access to in-person visits with loved ones incarcerated in county jails.
05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160561 **[Arthur Cecchin Day - May 27, 2016]**
Sponsor: Farrell
Resolution declaring May 27, 2016, Arthur Cecchin Day in the City and County of San Francisco.
05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160562 **[Elizabeth Purcell Day - May 27, 2016]**
Sponsor: Farrell
Resolution declaring May 27, 2016, Elizabeth Purcell Day in the City and County of San Francisco.
05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160563 **[CalFresh Awareness and Action Month - May 2016]**
Sponsor: Mar
Resolution declaring the month of May 2016 as CalFresh Awareness and Action Month in the City and County of San Francisco, and urging all community members to support efforts to increase awareness of and participation in the CalFresh program.
05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160564 **[Urging the State of California to Require a Minimum of 25% Post-Consumer Recycled Content in Plastic Beverage Containers]**
Sponsors: Wiener; Mar
Resolution urging the California State Legislature to require all single-use plastic beverage containers sold in the state to have a minimum of 25% post-consumer recycled content.

05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160565 **[Urging Support for the California Legislative Women's Caucus' Request and Priority to Invest $800,000,000 in the FY2016-2017 California Budget]**
Sponsors: Yee; Tang
Resolution urging the support of the Legislative Women's Caucus budget request of $800,000,000 in the FY2016-2017 budget that would enable the state to serve tens of thousands of children from birth to five years-old, and for families to have access to quality affordable child care, prioritize our youngest learners, prevent disruption of care for those children, recognize the important and professional nature of the work providers deliver to our state's working families, and for the California Senate and Assembly to support the Legislative Women's Caucus budget request and priorities.

05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160566 **[Closed Session - Update on Labor Negotiations - May 24, 2016]**
Sponsor: Breed
Motion that the Board of Supervisors convene in closed session on May 24, 2016, with the Mayor's Office and the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160567 **[Calling from Committee - Committee of the Whole - General Plan Amendment (File No. 160347) - Affordable Housing Bonus Programs]**
Sponsor: Peskin
Motion calling from the Land Use and Transportation Committee, pursuant to Board's Rules of Order 3.37, the proposed Ordinance (File No. 160347) amending the General Plan to make conforming changes in association with legislation creating the Affordable Housing Bonus Program by amending the Housing Element, Urban Design Element, Van Ness Avenue Area Plan, Chinatown Area Plan, Downtown Area Plan, and Northeastern Waterfront Area Plan; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.; and scheduling the Board of Supervisors to sit as a Committee of the Whole on June 14, 2016, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance.

05/17/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

160505 **[Hearing - Report of Assessment Costs for Sidewalk Inspection and Repair Program - June 28, 2016]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program, pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Section 80, the costs thereof having been paid for by the City and County out of a revolving fund, to be held on June 28, 2016, scheduled pursuant to Motion No. M16-064, approved May 17, 2016. (Clerk of the Board)

05/17/16; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

160499 **[Summary Street Vacation - Greenwich Street - Pioneer Park Improvements]**

Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance. (Recreation and Park Commission)

05/09/16; RECEIVED FROM DEPARTMENT.

05/17/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/16/2016.

160500 **[Settlement of Lawsuit - Ken Meisle - $40,000]**

Ordinance authorizing settlement of the lawsuit filed by Ken Meisle against the City and County of San Francisco for $40,000; the lawsuit was filed on November 26, 2014, in San Francisco Superior Court, Case No. CGC-14-542935; entitled Ken Meisle v. City and County of San Francisco; the lawsuit involves personal injury and property damage. (City Attorney)

05/03/16; RECEIVED FROM DEPARTMENT.

05/17/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160501 **[Settlement of Lawsuit - Martha Abbene - $81,000]**
Ordinance authorizing settlement of the lawsuit filed by Martha Abbene against the City and County of San Francisco for $81,000; the lawsuit was filed on January 21, 2015, in San Francisco Superior Court, Case No. CGC-15-543761; entitled Martha Abbene v. City and County of San Francisco, et al.; the lawsuit involves personal injury due to uneven road surface. (City Attorney)

05/03/16; RECEIVED FROM DEPARTMENT.

05/17/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

160502 **[Lease Agreement - City of San Francisco Uptown Parking Corporation - Union Square Public Parking Garage Lease and Café - Anticipated Revenue of More Than $1,000,000]**
Resolution approving and authorizing the General Manager of the Recreation and Park Department to execute a lease agreement with the City of San Francisco Uptown Parking Corporation for the Union Square Public Parking Garage and portions of Union Square Plaza for the operation of a café, for a ten-year term to commence upon Board approval, and two five-year options to extend, with all revenue in excess of operating costs to be transferred to the Recreation and Park Department, with anticipated revenue to the City of more than $1,000,000. (Recreation and Park Commission)

05/09/16; RECEIVED FROM DEPARTMENT.

05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160503 **[Contract Amendment - Helios Healthcare, LLC - Not to Exceed $14,635,152]**
Resolution approving a third amendment to the Department of Public Health contract with Helios Healthcare, LLC, for long-term mental health services in a 24-hour locked facility, to extend the contract by two years from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2018, with a corresponding increase of $4,688,841 for a total amount not to exceed $14,635,152. (Public Health Department)
(Fiscal Impact; No Budget and Legislative Analyst Report)

05/09/16; RECEIVED FROM DEPARTMENT.

05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160506 **[Report of Assessment Costs for Sidewalk Inspection and Repair Program]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program ordered to be performed by said Director pursuant to Public Works Code, Sections 706.9 and Administrative Code, Section 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

05/03/16; RECEIVED FROM DEPARTMENT.

05/17/16; RECEIVED AND ASSIGNED to Board of Supervisors.

In Memoriam

Adolph Joseph Capurro - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:33 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 21, 2016.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 24, 2016 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
AUG -1 2016
SAN FRANCISCO PUBLIC LIBRARY

LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 24, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:02 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of April 19, 2016, or the Special Meeting Minutes at the Budget and Finance Committee Meeting of April 20, 2016. There were no corrections.

Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of April 19, 2016, and the Special Meeting Minutes at the Budget and Finance Committee Meeting of April 20, 2016. The motion carried by the following vote, following general public comment:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Rules Committee

160340 **[Appointment, Park, Recreation and Open Space Advisory Committee - Ana Teresa Gee]**

Motion appointing Ana Teresa Gee, term ending February 1, 2018, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M16-066

APPROVED

160495 **[Appointment, Bicycle Advisory Committee - Catherine Orland]**
Motion appointing Catherine Orland, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M16-067

APPROVED

160496 **[Appointment, Urban Forestry Council - Meg Lowman]**
Motion appointing Meg Lowman (residency requirement waived), term ending November 18, 2016, to the Urban Forestry Council. (Rules Committee)

Motion No. M16-068

APPROVED

160497 **[Appointment, Public Utilities Revenue Bond Oversight Committee - Marina Pelosi]**
Motion reappointing Marina Pelosi, term ending January 1, 2020, to the Public Utilities Revenue Bond Oversight Committee. (Rules Committee)

Motion No. M16-069

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

160225 **[Administrative Code - Best Value Public Works Procurement]**
Sponsors: Wiener; Tang, Breed and Yee
Ordinance amending the Administrative Code to allow departments authorized to perform public work to procure public work contracts through a best value process that selects contractors using a combination of price and qualifications, with bid discounts applicable to price; and to require completion of public works contractor performance evaluations, and to require the creation and maintenance of a database to collect the contractor performance evaluations.

Ordinance No. 094-16

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Noes: 1 - Avalos

160358 **[Appropriation and De-Appropriation - Surplus Revenue and Expenditures - Supporting Increased Overtime Expenditures - $24,682,824 - FY2015-2016]**
Sponsor: Mayor

Ordinance appropriating $4,112,120 surplus revenues, de-appropriating $20,570,704 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating $24,682,824 to overtime in the Sheriff's Department, Department of Emergency Management, Fire Department, Public Health Department, Public Utilities Commission, and the Police Department operating budgets in order to support the Departments' projected increases in overtime as required per Ordinance No. 194-11 in FY2015-2016; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Fire Department overtime appropriations, pursuant to Charter, Section 9.113(c).
(Fiscal Impact)

Supervisor Farrell requested that the question for this Ordinance be DIVIDED to consider the Fire Department, Department of Emergency Management, Sheriff's Department, and the Public Utilities Commission separately.

Ordinance No. 095-16

The divided question relating to the Fire Department, Department of Emergency Management, Sheriff's Department, and the Public Utilities Commission was FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

The remaining balance of the Ordinance relating to the Department of Public Health and the Police Department was FINALLY PASSED by the following vote:
Ayes: 6 - Breed, Farrell, Mar, Tang, Wiener, Yee
Noes: 5 - Avalos, Campos, Cohen, Kim, Peskin

Supervisor Cohen, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Ordinance No. 095-16

The remaining balance of the Ordinance relating to the Department of Public Health and the Police Department was FINALLY PASSED by the following vote:

Ayes: 7 - Breed, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Kim, Peskin

Upon passage of both the divided portion and the remaining balance of the question, the Ordinance was finally passed as a whole.

President Breed requested File Nos. 160295 and 160296 be called together.

160295 **[Lease Agreement - Bank of America, N.A. - $365,000 Minimum Annual Guarantee]**
Resolution approving the Domestic Terminals 1 and 3 Automated Teller Machines Lease No. 16-0070 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $365,000 for the first year of the Lease for a five-year term to commence following Board approval, with a two-year option to extend exercisable at the sole discretion of the Airport Commission. (Airport Commission)

Resolution No. 203-16

ADOPTED by the following vote:

Ayes: 8 - Breed, Campos, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Peskin

160296 **[Lease Agreement - Bank of America, N.A. - $270,000 Minimum Annual Guarantee]**
Resolution approving the International Terminal Automated Teller Machines Lease No. 16-0069 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $270,000 for the first year of the Lease for a five-year term to commence following Board approval with a two-year option to extend exercisable at the sole discretion of the Airport Commission. (Airport Commission)

Resolution No. 204-16

ADOPTED by the following vote:

Ayes: 8 - Breed, Campos, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Peskin

Recommendation of the Public Safety and Neighborhood Services Committee

160022 **[Administrative Code - Due Process for All and Sanctuary]**
Sponsors: Avalos; Campos, Kim, Mar and Peskin
Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.

Privilege of the floor was granted unanimously to Sheriff Vicki Hennessy (Sheriff's Department) who responded to questions raised throughout the discussion, acknowledged the collaborated efforts with the sponsor, and stated that she was in agreement with the proposed amendments.

Supervisor Avalos, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 5, by adding 'or serious', Line 6, by adding 'or serious', and adding 'and modifying reporting requirements', Line 19, by striking 'the immigration', and Line 20, by adding 'or any other such personal information as defined in Chapter 12I'; on Page 2, Lines 8-9, by adding 'or any other such personal information as defined in Chapter 12I'; on Page 11, Line 24, through Page 12, Line 5, by adding the definition of 'Serious Felony'; on Page 13, Line 12, through Page 14, Line 11, by adding three exceptions to the requirement that law enforcement officials not respond to a federal immigration officer's request; and on Page 15, Lines 5-20, by changing the required 'Annual Report' to a 'Semiannual Report' with additional information that the Report will include. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent or serious felony and held to answer for a violent or serious felony, and modify reporting requirements.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 160479, 160482, 160483, 160484, and 160485 be called together.

160479 **[Multifamily Housing Revenue Bonds - 171 Loehr Street and 1250 Sunnydale Avenue ("Britton Court") - Not to Exceed $76,000,000]**

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $76,000,000 for 171 Loehr Street and 1250 Sunnydale Avenue; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Resolution No. 206-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160482 **[Multifamily Housing Revenue Bonds - Goodwill - 1500-1580 Mission Street and 77 South Van Ness Avenue - Not to Exceed $475,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $475,000,000 to finance a project at 1500-1580 Mission Street and 77 South Van Ness Avenue; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the tax exempt residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $475,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

Resolution No. 207-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160483 **[Multifamily Housing Revenue Bonds - Mission Bay South Block East - 1150-3 Street - Not to Exceed $90,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $90,000,000 for 1150-3 Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

Resolution No. 208-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160484 **[Multifamily Housing Revenue Bonds - Dorothy Day Community - 54 McAllister Street - Not to Exceed $111,000,000]**

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $111,000,000 for 54 McAllister Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

Resolution No. 209-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160485 **[Multifamily Housing Revenue Bonds - Knox SRO - 241-6 Street - Not to Exceed $20,007,442]**
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,007,442 for 241-6 Street, also known as the Knox SRO; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

Resolution No. 210-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

160198 **[Police Code - Storage of Firearms in Any Residence]**
Sponsors: Farrell; Cohen, Breed and Campos
Ordinance amending the Police Code to prohibit any person from keeping a firearm within any residence unless the firearm is stored in a locked container or disabled with a trigger lock.

Supervisors Breed and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160293 **[Planning Code - Landmark Designation - 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center)]**
Sponsors: Avalos; Peskin
Ordinance designating 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center), Assessor's Parcel Block No. 6956, Lot Nos. 016 and 017, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Public Safety and Neighborhood Services Committee

160294 **[Health Code - Public Water System Cross-Connection Control and Backflow Prevention]**

Ordinance amending the Health Code to regulate cross-connection and backflow prevention requirements to protect the public water system by replacing obsolete requirements with requirements consistent with current state and federal drinking water quality laws; by reorganizing, updating, and clarifying procedures for implementing such requirements; and by authorizing remedies and penalties for violations and providing enforcement criteria and procedures; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Breed requested File Nos. 151161, 160098, and 160142 be called together.

151161 **[Liquor License - 239 Kearny Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Frank LeClerc for Gitane Restaurant and Bar, Inc. dba Gitane Restaurant and Bar, located at 239 Kearny Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 200-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160098 **[Liquor License - 5900 3rd Street]**

Resolution determining that the issuance of a Type 21 off-sale general license to Howard Ngo dba Duc Loi's Pantry located at 5900 3rd Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 201-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160142 **[Liquor License Transfer - 644 Mission Street]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 5900 3rd Street to 644 Mission Street (District 6) to Surinder Singh dba 7-Eleven Store #2366-36039A, will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 202-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160228 **[Calling for a California State of Emergency Declaration on Homelessness]**
Sponsors: Kim; Cohen, Campos, Peskin, Mar and Avalos
Resolution urging Governor Jerry Brown to declare a State of Emergency on Homelessness to help coordinate region- and state-wide responses to this growing crisis, and provide supplementary state assistance to cities and counties to provide needed supportive services.

Resolution No. 211-16

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Wiener
Noes: 2 - Tang, Yee

Recommendations of the Rules Committee

160272 **[Administrative Code - Exempting California State University Fresno Foundation from Nonprofit Public Access Ordinance]**
Ordinance exempting California State University Fresno Foundation from the Nonprofit Public Access Ordinance, Administrative Code, Chapter 12L, to facilitate the Human Services Agency's entering into a contract with the Foundation for training services required by State law for child welfare staff, supervisors, and foster parents. (Human Services Agency)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160498 **[Appointments, Commission on Animal Control and Welfare - Annemarie Fortier, Nicolle "Bunny" Matthews Rosenberg, and Robin Hansen]**
Motion reappointing Annemarie Fortier and appointing Nicolle "Bunny" Matthews Rosenberg and Robin Hansen, terms ending April 30, 2018, to the Commission of Animal Control and Welfare. (Rules Committee)

Motion No. M16-070

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Supervisor Avalos was noted absent at 4:35 p.m.

141018 **[Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]**
Hearing of persons interested in or objecting to the decision of Public Works, dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Campos, seconded by Supervisor Tang, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of September 6, 2016. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

The President CONTINUED the Hearing open to September 6, 2016.

141019 **[Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]**
Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Tang, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 6, 2016. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

141020 **[Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]**
Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Tang, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 6, 2016. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

141021 **[Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Tang, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 6, 2016. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Absent: 1 - Avalos

Supervisor Avalos was noted present at 4:48 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

160437 **[Hearing - Report of Delinquent Real Property Transfer Taxes]**
Hearing to consider objections to a report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street), and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund, scheduled pursuant to Motion No. M16-057, approved May 3, 2016. (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board relating to the report of delinquent real property transfer tax as referenced in File No. 160438. Edward McCaffrey (Office of the Assessor-Recorder) provided an overview of the assessments. Scott Johnson (on behalf of DiamondRock Hospitality Company); Charles Maul (on behalf of Parc 55 Hotel); spoke in objection to the delinquent real property transfer tax. Moe Jamil (Office of the City Attorney) and Douglas Legg (Office of the Assessor-Recorder) responded to questions raised throughout the discussion. There were no other speakers. President Pro Temp Tang declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Tang assumed the chair at 4:46 p.m. The President resumed the chair at 5:05 p.m.

Committee of the Whole Adjourn and Report

160438 **[Report of Delinquent Real Property Transfer Taxes]**
Sponsors: Tang; Peskin
Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street) and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

Resolution No. 205-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Wiener, seconded by Supervisor Yee, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SMALL BUSINESS WEEK
President Breed and Mark Dwight, President (Small Business Commission), provided opening remarks in recognition of Small Business Week and the exceptional small businesses throughout San Francisco. Supervisors then introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Small Business Week, their accomplishments, and their continued community support as referenced below:

Supervisor Wiener recognized Linda and Brian Mitchell (Mitchell's Ice Cream);
Supervisor Yee recognized Michael and Nancy Gharib (Twin Peaks Auto Care);
Supervisor Avalos recognized George and Ed Nasrah (Central Drug Store and Daniel's Pharmacy);
Supervisor Breed recognized David Zimmerman (Blackthorn);
Supervisor Campos recognized Good Life Grocery;
Supervisor Cohen recognized Economic Development on Third (EDoT);
Supervisor Farrell recognized Elias Chahwan (Valentino Market);
Supervisor Kim recognized Kevin McCracken (Social Imprints);
Supervisor Mar recognized Chet Thong (La Promenade Cafe);
Supervisor Peskin recognized Joseph Omran (Le Beau Nob Hill Market); and
Supervisor Tang recognized Eric Rewitzer and Annie Galvin (3 Fish Studios).

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Ace Washington; shared concerns relating to Small Business Week and allowing media into the Legislative Chamber.
Male Speaker; shard concerns relating to homelessness in San Francisco.
Christopher Dahl; shared concerns relating to the sea level rise and climate change.
Male Speaker; shared various religious concerns.
Karen Fleshman; shared concerns relating to officer-involved shootings and brutality.
Abraham Thompson; shared concerns relating to the Falun Da Fa being banned at community parades.
Female Speaker; shared concerns relating to the Falun Da Fa being banned at community parades.
Wangi Zhao; shared concerns relating to the Falun Da Fa being banned at community parades.
Dee Seligman; shared concerns relating to set-asides.
Tom Borden; shared concerns relating to the Recreation and Park Department and park access.
Katherine Howard; shared concerns relating to the Recreation and Park Department and park access.
Elizabeth De Young; shared concerns relating to the Recreation and Park Department and park access.
Mel Chalbard; shared concerns relating to prostitution occurring at a particular business.
Lee Stranahan; shared concerns relating to freedom of debate.
Mr. Wright; shared concerns relating to sanctuary for all and immigration.
Male Speaker; shared concerns relating to officer-involved shootings and brutality.
Tom Gilberty; shared concerns relating to proposed high-rise projects and stadium projects.
Otto Duffy; shared concerns relating to rank-choice voting.

CONFERENCE WITH LABOR NEGOTIATORS

Approval to convene in closed session was acted upon by Motion No. M16-073 (File No. 160566) under the "For Adoption Without Committee Reference" calendar, and public comment on the approval to convene was taken during General Public Comment.

160568 **[Closed Session - Labor Negotiations - May 24, 2016]**
Closed Session for the Board of Supervisors to confer with the Mayor's Office and the Department of Human Resources regarding the City's negotiations with labor unions representing City employees on May 24, 2016; pursuant to California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e). (Clerk of the Board)

Although a motion was not required, since the Motion to Convene was already approved by Motion No. M16-073 (File No. 160566), Supervisor Yee, seconded by Supervisor Mar, moved that the Board of Supervisors convene in closed session with labor negotiators. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Breed inquired as to whether any member of the public wished to address the Board regarding convening in closed session. Tom Gilberty; Mr. Wright; shared concerns relating to the closed session. The President declared public comment closed.

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 6:01 p.m. to convene in closed session pursuant to the passage of Motion No. M16-073 (File No. 160566).

The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Persons in attendance: Jon Givner (Office of the City Attorney), Diana Doughtie, Chief Negotiator, Micki Callahan, Director (Department of Human Resources), Todd Rydstrom (Office of the City Controller), Nicole Elliott (Mayor's Office), Barbara Garcia, Director, and Greg Wagner (Department of Public Health), Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENED IN OPEN SESSION

The Board reconvened at the hour of 6:24 p.m.

The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

HEARD AND FILED

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Yee, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160435 **[Urging San Francisco Businesses to Participate in SF Biz Connect]**
Sponsor: Tang
Resolution urging San Francisco businesses to participate in SF Biz Connect by shifting an additional 5% of their spending to small and local businesses in order to support our local economy.

Resolution No. 212-16

ADOPTED

160560 **[Supporting California State Senate Bill 1157 (Mitchell) - Strengthening Family Connections]**
Sponsor: Breed
Resolution supporting California State Senate Bill 1157, authored by Senator Mitchell, to strengthen family connections in order to ensure families have access to in-person visits with loved ones incarcerated in county jails.

Resolution No. 213-16

ADOPTED

160561 **[Arthur Cecchin Day - May 27, 2016]**
Sponsor: Farrell
Resolution declaring May 27, 2016, Arthur Cecchin Day in the City and County of San Francisco.

Resolution No. 214-16

ADOPTED

160562 **[Elizabeth Purcell Day - May 27, 2016]**
Sponsor: Farrell
Resolution declaring May 27, 2016, Elizabeth Purcell Day in the City and County of San Francisco.

Resolution No. 215-16

ADOPTED

160563 **[CalFresh Awareness and Action Month - May 2016]**
Sponsor: Mar
Resolution declaring the month of May 2016 as CalFresh Awareness and Action Month in the City and County of San Francisco, and urging all community members to support efforts to increase awareness of and participation in the CalFresh program.

Resolution No. 216-16

ADOPTED

160564 **[Urging the State of California to Require a Minimum of 25% Post-Consumer Recycled Content in Plastic Beverage Containers]**
Sponsors: Wiener; Mar
Resolution urging the California State Legislature to require all single-use plastic beverage containers sold in the state to have a minimum of 25% post-consumer recycled content.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 217-16

ADOPTED

160565 **[Urging Support for the California Legislative Women's Caucus' Request and Priority to Invest $800,000,000 in the FY2016-2017 California Budget]**
Sponsors: Yee; Tang
Resolution urging the support of the Legislative Women's Caucus budget request of $800,000,000 in the FY2016-2017 budget that would enable the state to serve tens of thousands of children from birth to five years-old, and for families to have access to quality affordable child care, prioritize our youngest learners, prevent disruption of care for those children, recognize the important and professional nature of the work providers deliver to our state's working families, and for the California Senate and Assembly to support the Legislative Women's Caucus budget request and priorities.

Resolution No. 218-16

ADOPTED

160545 **[Final Map 7888 - 219 Cumberland Street]**
Motion approving Final Map 7888, a 6 residential unit condominium project, located at 219 Cumberland Street, being a subdivision of Assessor's Parcel Block No. 3600, Lot No. 042, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-071

APPROVED

160546 **[Final Map 8752 - 77 Falmouth Street]**
Motion approving Final Map 8752, a 15 residential unit and two commercial unit mixed-use condominium project, located at 77 Falmouth Street, being a subdivision of Assessor's Parcel Block No. 3753, Lot No. 314, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-072

APPROVED

160566 **[Closed Session - Update on Labor Negotiations - May 24, 2016]**
Sponsor: Breed
Motion that the Board of Supervisors convene in closed session on May 24, 2016, with the Mayor's Office and the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

Motion No. M16-073

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File No. 160567 be severed so that it may be considered separately.

160567 **[Calling from Committee - Committee of the Whole - General Plan Amendment (File No. 160347) - Affordable Housing Bonus Programs]**
Sponsor: Peskin
Motion calling from the Land Use and Transportation Committee, pursuant to Board's Rules of Order 3.37, the proposed Ordinance (File No. 160347) amending the General Plan to make conforming changes in association with legislation creating the Affordable Housing Bonus Program by amending the Housing Element, Urban Design Element, Van Ness Avenue Area Plan, Chinatown Area Plan, Downtown Area Plan, and Northeastern Waterfront Area Plan; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.; and scheduling the Board of Supervisors to sit as a Committee of the Whole on June 14, 2016, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance.

Supervisor Peskin, seconded by Supervisor Tang, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Charter Amendments

160581 **[Charter Amendment - Homeless Housing and Services Fund; Transportation Improvement Fund - Budget Set-Asides]**
Sponsors: Mayor; Wiener and Farrell
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: create a Homeless Housing and Services Fund and appropriate $11,500,000 to the Fund in FY2016-2017 and $47,750,000 annually to the Fund, adjusted for changes in discretionary City revenues, for the next 24 years, and create a Transportation Improvement Fund and appropriate $23,000,000 to the Fund in FY2016-2017 and $95,500,000 annually to the Fund, adjusted for changes in discretionary City revenues, for the next 24 years, at an election to be held on November 8, 2016.
05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160582 **[Charter Amendment - City Responsibility for Maintaining Street Trees]**
Sponsors: Avalos; Mar
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees from abutting property owners to the City; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.
05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160583 **[Charter Amendment - Public Advocate]**
Sponsors: Campos; Avalos, Kim and Mar
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) place the Public Advocate in charge of the Office of Labor Standards Enforcement (OLSE), the Office of Citizen Complaints (OCC), and the Controller's whistleblower program; 5) call a special election for November 7, 2017, to elect the first Public Advocate; 6) provide for the Public Advocate's election, removal, and salary; and 7) establish a set-aside of 0.03% of the City's budget, as well as the amounts previously budgeted to OLSE, OCC, and the whistleblower program, to fund the Office of the Public Advocate, and setting an operative date, at an election to be held on November 8, 2016.
05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160584 **[Charter Amendment - Independent Investigations Bureau in the Office of the District Attorney]**
Sponsor: Cohen
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to designate an Independent Investigations Bureau in the Office of the District Attorney as the primary agency to investigate criminal conduct arising out of critical incidents in the City involving officer-involved use of force, upon the District Attorney's establishment of the Bureau; to provide for development of a protocol between the District Attorney and Chief of Police to staff and coordinate the Bureau; and to establish the Independent Investigations Bureau Fund for the operation of the Bureau and require that an amount equal to 0.34% of the annual budgets of the Police Department and Sheriff's Department and funds for additional costs of the Bureau be allocated annually to the Fund, for so long as the District Attorney maintains the Bureau, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160585 **[Charter Amendment - Dignity Fund]**
Sponsors: Cohen; Mar, Yee, Avalos and Campos
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: 1) establish the Dignity Fund to support Seniors and Adults with Disabilities; 2) create an annual set-aside from the property tax for the Dignity Fund in an amount equivalent to an annual tax of two cents for each $100 of assessed valuation, and a baseline appropriation based on City spending for these purposes in FY2016-2017; 3) establish a planning process for expenditures from the Fund; 4) create an Oversight and Advisory Committee; 5) set an expiration date of June 30, 2037; and, 6) change the Commission on Aging to the Aging and Adult Services Commission, update its responsibilities, and divide the appointing power between the Mayor and the Board of Supervisors, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160586 **[Charter Amendment - Department of Police Accountability]**
Sponsor: Cohen
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: re-name the Office of Citizen Complaints (OCC) as the Independent Police Oversight Department (IPOD); eliminate the requirement that the Police Commission approve IPOD's proposed budget and instead give IPOD direct authority over its proposed budget; authorize IPOD to conduct periodic reviews of how the Police Commission, Police Department, and IPOD have handled claims of officer misconduct; and require an annual appropriation to IPOD at least equal to the OCC budget for FY2015-2016, adjusted for changes in total City discretionary revenues, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160587 **[Charter Amendment - Non-Citizen Voting in School Board Elections]**
Sponsor: Mar
Draft Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section 8.100 and adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians, or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Rules Committee.

160588 **[Charter Amendment - Housing and Development Commission]**
Sponsors: Peskin; Kim
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development, the Department of Housing and Community Development, and the Department of Real Estate; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; and to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

160589 **[Charter Amendment - Municipal Transportation Agency - Appointments to Board of Directors and Budget Process]**
Sponsors: Yee; Kim, Peskin and Campos
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to split the power to make appointments to the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors between the Mayor and the Board of Supervisors, to lower the vote by which the Board of Supervisors may reject the SFMTA Budget from seven to six, and to make related changes implementing these amendments, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

Ordinances

150792 **[Fire Code - Disclosure of Fire Safety Information]**
Sponsor: Tang
Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials.

07/21/15; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 8/20/2015.

07/29/15; REFERRED TO DEPARTMENT.

03/07/16; REMAIN ACTIVE.

05/24/16; SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160590 **[Public Works Code - Street Space Occupancy Permits]**
Sponsor: Farrell
Ordinance amending the Public Works Code to place additional limits on the duration of street space occupancy permits, and to limit the number of such permits including permit extensions that can be issued at the same address during a three-year period in Residential, Urban Mixed-Use, and Neighborhood Commercial Districts, and precluding the issuance of such permits at the same address for two years after that three-year period; and affirming the Planning Department's determination under the California Environmental Quality Act.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/23/2016.

160591 **[Mission Bay South - Park P6 Acceptance]**
Sponsor: Kim
Ordinance dedicating City-jurisdictional property, located on a portion of State Trust Parcel 2, commonly known as Mission Bay Park P6, lying along Long Bridge Street and China Basin Street, as open public right-of-way and naming the new park "Mission Bay Kids' Park," accepting an irrevocable offer for the acquisition facilities that comprise the park improvements; designating said facilities for public open space and park purposes, accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; and accepting a Public Works Order, and authorizing official acts in connection with this Ordinance.

05/24/16; ASSIGNED to Land Use and Transportation Committee.

160592 **[Administrative Code - Lactation in the Workplace Policy]**
Sponsors: Tang; Cohen, Kim, Wiener, Yee, Mar, Farrell, Peskin, Breed, Campos and Avalos
Ordinance amending the Administrative Code to require the Department of Human Resources to develop a Lactation in the Workplace Policy for all City departments.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/23/2016.

160593 **[Prevailing Wage Requirements - Parking Meter Coin Collections and Counting]**
Sponsor: Wiener
Ordinance authorizing the Municipal Transportation Agency to include, in any contract for parking meter coin collections, counting, and support services it executes after issuing a competitive solicitation, provisions that require the contractor and subcontractors to pay prevailing wages to meter collector, coin room operator, crew lead, and foreperson positions, and to provide transitional employment and retention to the prior contractor's employees performing such services, subject to compliance with all applicable state laws and regulations; and making findings as to the applicable prevailing wage rates for the positions covered by this ordinance.
(Fiscal Impact; No Budget and Legislative Analyst Report)

05/24/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/23/2016.

160594 **[De-appropriation and Appropriation - Supporting District 7 Participatory Budgeting Project - $300,000 - FY2015-2016]**
Sponsor: Yee
Ordinance de-appropriating $300,000 District 7 Board Projects in the General City Responsibility (GEN) and appropriating $300,000 to various departments in order to support the District 7 Participatory Budgeting projects in FY2015-2016.
(Fiscal Impact; No Budget and Legislative Analyst Report)

05/24/16; ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

160595 **[Accept and Expend Grant - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - $200,000]**
Sponsors: Mayor; Kim, Campos and Breed
Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to $200,000 from the San Francisco Bay Area Rapid Transit District for the Pit Stop Public Toilet Program for the period of February 17, 2016, through February 16, 2017.

05/24/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160596 **[Contract Amendment - New Flyer of America, Inc. - Purchase of Low Floor Electric Trolley Buses - Not to Exceed $150,448,729]**
Sponsor: Breed
Resolution approving Amendment No. 1 to Contract No. CPT 632 (Procurement of Electric Trolley Buses) with New Flyer of America, Inc., to purchase an additional 33 articulated low-floor electric trolley buses, for an additional amount of $55,498,285 and a total contract amount not to exceed $150,448,729 with no change to the term of the contract; and authorizing the Director of Transportation of the San Francisco Municipal Transportation Agency to enter into amendments or modifications to the Agreement, as defined herein. (Municipal Transportation Agency)
(Fiscal Impact)

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160597 **[Intent to Prioritize Funding Free City College of San Francisco]**
Sponsors: Kim; Breed, Peskin, Yee, Mar, Campos and Avalos
Resolution reclaiming the promise of free higher education in the City and County of San Francisco by securing funding to eliminate enrollment fees for students who are San Francisco residents or working at least half-time in San Francisco, and by supporting educational costs for enrolled students who are in receipt of federal or state financial aid.
(Supervisor Farrell dissented in Committee.)

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160598 **[Authorizing Expenditures - SoMa Community Stabilization Fund - $635,000]**
Sponsor: Kim
Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of $635,000 to address various impacts of destabilization on residents and businesses in SoMa, and reaffirming an administrative support plan for the Fund. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160599 **[Interim Zoning Controls - Hotel Conversion Ordinance]**
Sponsors: Peskin; Kim
Resolution imposing interim zoning controls for an 18-month period for all Residential Hotels, requiring Conditional Use authorization for any application for a permit to convert Residential Hotel Units under Administrative Code, Chapter 41; and making environmental findings and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/23/2016.

160600 **[Opposing the System of Renting Grass at Any San Francisco Public Park]**
Sponsors: Kim; Peskin, Avalos, Yee and Campos
Resolution urging the Recreation and Parks Department to discontinue permanently the pilot program whereby individuals can reserve open space at Mission Dolores Park and urging the Recreation and Parks Department to discontinue any such rental program for any grass plot throughout San Francisco public parks.

05/24/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160601 **[Urging the San Francisco Legislative Delegation to Oppose the Proposed "By Right Housing Approvals" Budget Trailer Bill]**
Sponsors: Peskin; Mar, Kim, Yee, Avalos and Campos
Resolution urging the San Francisco Legislative Delegation to oppose the "By Right Housing Approvals" proposed Trailer Bill in recognition of San Francisco's local planning tools and significant contributions to regional housing development.

05/24/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160602 **[Approval of a 90-Day Extension for Planning Commission Review of Sign Regulations (File No. 160424)]**
Sponsor: Peskin
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 160424) amending the San Francisco Planning Code to correct and update provisions, delete obsolete or redundant sections, and reinstate the distinction between Historic and Vintage Signs; amending the Zoning Map to delete the Showplace Square Special Sign District, the South of Market General Advertising Special Sign District, and the Hamm's Building Historic Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

05/24/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160603 **[Team Edna Day - June 8, 2016]**
Sponsor: Wiener
Resolution declaring June 8, 2016, Team Edna Day in the City and County of San Francisco.

05/24/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160604 **[Initiative Ordinance - Business and Tax Regulations Code - Increase Real Property Transfer Tax on Properties of At Least $5,000,000]**
Sponsors: Kim; Campos, Peskin, Mar, Avalos and Yee
Motion ordering submitted to the voters, at an election to be on held November 8, 2016, an ordinance amending the Business and Tax Regulations Code to increase the Real Property Transfer Tax rate from 2% to 2.25% on properties with a consideration or value of at least $5,000,000 and less than $10,000,000; from 2.5% to 2.75% on properties with a consideration or value of at least $10,000,000 and less than $25,000,000; and from 2.5% to 3% on properties with a consideration or value of at least $25,000,000; and increasing the City's appropriations limit by the amount of the tax increase for four years from November 8, 2016.
(Economic Impact)

(Supervisor Farrell dissented in Committee.)

05/24/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/23/2016.

160605 **[Modification of Time for Introduction of Charter Amendment - Non-Citizen Voting]**
Sponsor: Mar
Motion modifying the deadline to introduce a non-skeletal Charter Amendment and the deadline for City Attorney approval as to form under Rule 2.22.8 of the Board's Rules of Order to allow introduction on May 24, 2016, of an unsigned Charter Amendment to permit voting by non-citizens in certain elections (Board File No. 160587), and to allow introduction of the Charter Amendment approved as to form on June 7, 2016.

05/24/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160606 **[Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - $2,174,806 - FY2016-2017]**
Motion enacting a 2.25% cost of living adjustment (COLA) to the base FY2016-2017 contract amount of $2,126,950 for Budget and Legislative Analyst Services, to be effectuated as of July 1, 2016, resulting in a new FY2016-2017 contract amount of $2,174,806, an increase of $47,856; and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly. (Clerk of the Board)

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Request for Hearing

160607 **[Hearing - Permitting Fees for Park Use]**
Sponsors: Kim; Peskin
Hearing on the San Francisco Recreation and Park Department's protocols and procedures for permitting fees for park use City-wide; and requesting the Recreation and Park Department to report.

05/24/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

160533 **[Contract Approval - San Francisco In-Home Supportive Service Public Authority - Provider Benefits and Administration Contract Approval - $267,094,964]**
Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of administration, health, and dental benefits to IHSS Independent Providers for the period of July 1, 2016, to June 30, 2020, in the amount of $267,094,964. (Human Services Agency)
(Fiscal Impact; No Budget and Legislative Analyst Report)

05/12/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160538 **[Memorandum of Agreement - United States Department of the Interior, National Park Service - Not to Exceed $12,326,507]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Memorandum of Agreement with the United States Department of the Interior, National Park Service, Yosemite National Park, for comprehensive management of watersheds within Yosemite National Park supplying the San Francisco Regional Water System for an amount not to exceed $12,500,000 and a total duration of two years from July 1, 2016, through June 30, 2018, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

05/16/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160539 **[Master License Agreement - New Cingular Wireless PCS, LLC, dba AT&T - Outdoor Distributed Antenna System Pole Installation]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Master License Agreement for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco and New Cingular Wireless PCS, LLC, dba AT&T, for a term of 12 years to commence following Board approval. (Public Utilities Commission)

05/13/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160540 **[Real Property Acquisition - Easement from 2525 Marin LP - Kansas and Marin Streets Sewer System Improvement Project - $13,500]**

Resolution approving and authorizing the acquisition of one permanent access easement from 2525 Marin LP, a Delaware limited partnership, for $13,500 to be used by the City and County of San Francisco for the right to improve, inspect, maintain, repair, operate, and have access over, in, and upon a portion of the property located at 2525 Marin Street for the Kansas and Marin Streets Sewer System Improvement Project, Project No. CWWSIPCSSR03; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

05/16/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160541 **[Term Sheet Endorsement - TZK Broadway, LLC - Teatro ZinZanni Theatre/Hotel Project]**

Resolution endorsing the term sheet between TZK Broadway, LLC, whose members include Teatro ZinZanni and its financial and development partner, Kenwood Investments No. 6, LLC, and the Port Commission for the lease and development of a 180-200 room hotel, a dinner-theater featuring Teatro ZinZanni, an approximately 7,500 square-foot public park and open space, and ancillary uses on Seawall Lots 323 and 324 and portions of unimproved Vallejo and Davis Street rights-of-way on the west side of The Embarcadero at Vallejo Street. (Port)

05/16/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160542 **[Cost Reimbursement Agreement - ExxonMobil Corporation - Management of Residual Petroleum Hydrocarbons - Wharf J10 - $5,000,000]**

Resolution approving the Cost Reimbursement Agreement between the Port and ExxonMobil Corporation for the management of residual petroleum hydrocarbons on City property in the area known as Wharf J10 in Fisherman's Wharf, for a term of 20 years or reimbursement of $5,000,000 increased by 3% annually, whichever comes first. (Port)

05/16/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160543 **[Settlement of Unlitigated Claim - Ebates Inc. - $395,000]**

Resolution approving the settlement of the unlitigated claim filed by Ebates Inc. against the City and County of San Francisco for $395,000; the claim was filed on February 11, 2016; the claim involves a refund of payroll expense taxes. (City Attorney)

05/11/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160544 **[Settlement of Administrative Civil Liability Complaint - California Regional Water Quality Control Board - $611,100]**

Resolution approving settlement of an administrative civil liability complaint proposed by California Regional Water Quality Control Board against the City and County of San Francisco for $611,100; the complaint is entitled In the matter of SAN FRANCISCO PUBLIC UTILITIES COMMISSION; February 8, 2014, Discharge of Chlorinated Treated Wastewater; February 8, 2014, Discharge of Undisinfected Partially Treated Wastewater; July 19, 2014, Discharge of Chlorinated Treated Wastewater; July 21, 2014, Discharge of Partially Treated Wastewater; the matter involves alleged violations of combined sewage discharge permit limitations; the settlement also provides for penalty suspension pending completion of a supplemental environmental project. (City Attorney)

05/11/16; RECEIVED FROM DEPARTMENT.

05/24/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

In Memoriams

Larry Miller - Supervisor Wiener
Leon Ruben Medina - Supervisors Campos and Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:25 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 28, 2016.

Angela Calvillo, Clerk of the Board

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Houchen